

16
EPISCOPACIE
NOT ABIVRED
IN HIS MAIESTIES
REALME OF
SCOTLAND.

CONTAINING MANY
Remarkable passages.

NEWLY PVBLISHED.

The Contents of the severall Chapters fol-
low in the next page.



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The Contents of the severall Chapters in this Book.

CHAP. I.

Containing a Comparifon betwixt this Affemblic and the Councell of Trent.

1. They agree in like fubtill policie in their proceedings, fpecified in 6. points.
2. They difagree, in that the Councell of Trent, in external order was more formall than this, and more fubftantiall in difcuffing the Articles.

CHAP. II.

Containing two reasons why we intend to fpeak onely againft the Act condemning Epifcopacie.

1. Because the reft of the Afts are eftablifhed upon the fame grounds.
2. Because their principall purpofe in defiring this Affembly was to fuppreffe Epifcopacie.
3. The Act it felf is fet down verbatim, as it was fet down in their printed Coppie fubfcribed by the Clerk,

CHAP. III.

Difcuffing their foure Considerations in their preface, whereby they alleage they were moved to make this Act.

1. The Consideration of the great mercie of God in the work of the reformation; wherein three notable falshoods are remarked.
2. That many evill innovations were obtruded upon the Church: wherein alfo three notable falshoods are remarked.

A

3. That

The Contents.

3. *That by the Kings urging the book of Common Prayer, they were moved of Necessitie to make their Covenant: wherein are remarked 7. notable falsehoods.*
4. *That many having subscribed the Covenant without their applications, yet according to the meaning it had 1580. therefore it is necessary, that the Assembly should declare the true meaning: wherein are shown divers falsehoods and impertinencies.*

CHAP. III.

Containing the state of the Question, as it was proposed to be voyced in the Assemblie.

1. *The necessitie of right stating the Question.*
2. *That their proposition is captious and confused, including three severall Questions of divers natures, whereunto no one Categorical answer could be given.*
3. *That they set it down in many ambiguous words and termes.*
4. *It is sophistically and subtilly drawn à Thesi ad Hypothesin.*
5. *That being proposed in that manner it could not possibly resolve the doubts, but rather increase them.*
6. *The Question simply proposed had been fitter to resolve doubts.*
7. *There are two points which they intend to prove unlawful in Episcopacie. 1. That they have charge over more particular flocks than one. 2. That they have power and preheminance over their Brethren.*

CHAP. V.

That this power and preheminance is not contrarie to the Confession of Faith in the Church of Scotland, but most conforme thereto, and to the first book of Discipline, and continuall practice of the Church of Scotland.

1. *A distinction of the Confessions of Faith so called, in a positive and negative, and that the positive is the only proper Confession of the Church of Scotland.*
2. *That*

The Contents.

2. That there is no Article of this Confession condemning this power and prebeminence,
3. That the meaning of this Confession, concerning the point of Government, set down in the first book of Discipline, and long practice of the Church doth expressly approve the same.
4. A paralell betwixt Superintendents and Bishops, wherein is shown that the power of Superintendents was no lesse than that which Bishops require now.
5. That Bishops, retaining the office, title and Benefice of Bishops, had the power for 20. yeers after the reformation, and that by approbation both of the Church and Civill estate.

CHAP. VI.

That this power and prebeminence of Bishops was not abjured by the negative Confession or Covenant.

1. That this negative Confession is not the proper Confession of the Church of Scotland, but an Appendix thereof.
2. That it is only the first Confession wherunto all were sworn to adhere.
3. Two reasons shewing that by the oath of the Covenant or negative Confession Episcopacie was not abjured. 1. Because it cannot have a meaning contrary to that whereof it is an Appendix. 2. Because it belongeth only to the King, and not to an Assemblie of the Church without the King, to declare in what sense the oath was required.

CHAP. VII.

An Answer to those passages alleaged in the Act out of the Abjuration.

1. Answered in Generall by Consideration of the words themselves.
2. By the confession of the Moderator and his associates.

The Contents.

3. *A particular answer to the first passage, shewing it to be cited falsely and impertinently.*

CHAP. VIII.

An Answer to the second passage of the Covenant, wherein is shown clearly.

1. *A notable falshood in the citation both by changing words, and adding others not contained in the original.*
2. *Divers reasons why this passage doth prove nothing to their purpose.*

CHAP. IX.

An Answer to the third passage wherein are these particulars.

1. *It is shown to be impertinent.*
2. *What is meant by the word Hierarchie.*
3. *That there may be an Hierarchie, neither Antichristian nor wicked, proved by the testimony of Calvin.*
4. *Their first reason to prove that Episcopall Government is the Antichristian, wicked Hierarchie, is by a false Syllogisme, ex omnibus particularibus & ammantibus in secundâ figurâ.*
5. *This reason passable amongst themselves because no man durst examine it, under paine of the censure of the Church.*
6. *Their second reason childish and Sophisticall.*
7. *Their third reason impertinently applied.*
8. *Their fourth reason hath no consequence and farre from the purpose.*
9. *Their last reason is grounded upon a place in the second book of Discipline falsely related.*

CHAP. X.

An Answer to the fourth passage containing three particulars.

1. *An explaining of the words.*
2. *That the Doctrine and Discipline whereunto we are sworn to joyne our selves, is not all the doctrine and discipline*

The Contents.

- pline taught and practised in the Church of Scotland.
3. That this Doctrine is expressly limited in the Covenant by foure limitations, by every one of which it is cleared, that this power and prebeminence of Bishops is nor abjured.
 4. The first limitation, that we swear only to adhere to that which is taught by Gods Word; wherein there is nothing contrary to this point, but all is conforme thereto.
 5. The second limitation is, that Doctrine which is professed by many notable Realms and Churches: no Realm nor Church did condemne this, except Geneva, and that not absolutely, but many Churches did approve it expressly.
 6. The third limitation is, the doctrine particularly expressed in the first Confession of Faith: but no doctrine is expressed therein contrary to this point.
 7. The fourth limitation is, that Doctrine which was for a long time before professed by the King and whole body of the Kingdome: But the King and body of the Kingdome did expressly professe that they did approve this point here damned.
 8. The discipline is limited by the same limitation.
 9. The discipline is either taken in a strickt and proper sense for the censures of the Church, or else in a large sense, signifying the whole policy of the Church.
 10. In the first sense, it was as yet retained precisely in the Church of Scotland under Episcopall Government; and therefore the oath is not broken.
 11. Discipline is again distinguished in these points which are essentiall and perpetuall, and those which are accidentall and mutable.
 12. The first sort are prescribed by Gods Word, and were not abolished by Episcopall government, but observed inviolable.
 13. The other sort is left to the libertie of the Church, and therefore alterable by the Church.

The Contents.

14. *To the observation of those, the Oath bindeth so long as the Constitution of the Church standeth in force; but being abrogate by a new Constitution, the Oath thereto is dissolved.*
15. *Whosoever doth not follow the Church in those Alterations doe against their oath.*

CHAP. XI.

An Answer to the Acts of the generall Assemblies alleaged contrary to this point untill the year 1580. wherein are these particulars.

1. *That no Act of Assemblie is, nor can be produced before that year 1575.*
2. *The occasion of impugning Episcopacie at that time, 1. some fierie humours lately come from Geneva, and zealous of Geneva Discipline. 2. The Kings minority. 3. Factions amongst the Nobilitie and Courtiers. 4. The Sacrilegious greedinesse of those gaping after the Church rents, who for their own ends abused the simplicitie of some Ministers, and pride of others.*
3. *That Bishops were not only tolerate, but approved by the Church untill this year 1575.*
4. *At this Assemblie in August 1575. was the first motion against Episcopacie in the Church of Scotland.*
5. *The proceeding of this Assemblie declared at length, whereby it is cleared that this point here in controversy was not challenged therein, but expressly approved by all.*
6. *Nothing in substance concluded against Episcopacie for five years after.*
7. *A notable dissimulation of our Covenanters in citing an Act of this Assembly.*

CHAP. XII.

Answering to the Acts of Generall Assemblies for establishing the second book of Discipline, wherein are these particulars.

1. *This*

The Contents.

1. *This book was brought in by the same occasions whereby Episcopacie began to be challenged.*
2. *This Discipline was never fully agreed unto by the Church; some points thereof never practised, and those which were practised but of short continuance.*
3. *They doe not themselves, nor will not approve some points in this book, but refuse obedience thereto, instanced in three particulars.*
4. *This book nor any part thereof had any strength of a Law before the injoyning of the Oath.*
5. *It is defective in the most substantiall points of Discipline, and superabundant in points not pertaining to Ecclesiasticall discipline.*
6. *And therefore the Discipline therein contained cannot be that, whereunto we are sworn to joine our selves precisely.*

CHAP. XIII.

Answering to the Act of the Assembly at Dundee 1580. condemning Episcopacie, together with the Act at Glasgow 1581. explaining the same containing these particulars.

1. *Albeit they condemned in these Acts Episcopacie (as it was then used in Scotland) as unlawfull in it self, yet did they not condemne these points here contraverted.*
2. *Neither did the Church then condemn any substantiall point of Episcopacie, except they did contradict themselves, instanced in six principall points of that Doctrine.*
3. *They condemn only the corruptions which were at that time in Bishops themselves, whereof some are only supposed corruptions; some corruptions indeed, but only personall, and not essentiall to the office.*
4. *The principall point they condemn in Bishops is, that they received not their Commission from the Church to exercise their charge: and yet it is evidently proved, that they had Commission from the Church to exercise all the points of their function.*

CHAP.

The Contents.

CHAP. XIII.

Answering to the rest of the Acts here cited.

1. *Their Acts can be of no greater force than the former whereupon they are grounded, and therefore refuted by the same reasons.*
2. *Some particular observations upon these Acts, whereby it is shewed that they make more against them, nor for them.*
3. *Many of these Acts shews that they were concluded expressly against the Kings Majesties intention.*
4. *The reason why that Act of Parliament 1592. Establishing Presbyteries, was suffered to passe by the King and the three Estates.*
5. *It was not because they did approve the same, but for eschewing of greater evils which were justly feared.*
6. *That Presbyteriall Government in Scotland did not indure in full force above ten years.*
7. *An Act of that Assembly 1589. disgracefull to the Church of Scotland.*

CHAP. XV.

Discussing the Conclusion of this Act, wherein are contained these particulars.

1. *Their Hyperbolicall magnifying of their accurate proceeding in concluding this Act, not like to be true.*
2. *The proposition of the Question by the Moderator, informall, obscure, ambiguous, sophysticall, and such as could not be answered Categorically.*
3. *The causes why they did so unanimously agree in their voycing was, because all were debarred whom they suspected would make any contradiction.*
4. *The voyces, as they are here declared, doe neither fully answer to their proposition, nor condemn any thing in Episcopacie, as it is now in Scotland.*
5. *They cannot excuse this but by laying the fault upon the Printer, which is not like to be true for many reasons.*

5.18

18



EPISCOPACY
NOT ABIVRED
IN
SCOTLAND:

CHAP. I.

*A Comparifon betwixt this Affembly and the
Councell of Trent.*



That turbulent and seditious Con-
venticle of Covenanting Mini-
sters and mis-ruling Elders assem-
bled at *Glasgow*, Novemb. 1638,
can be compared to none of that
kind so well, as to that infamous
Councell of *Trent*; which as it
hath for a long time troubled the
whole world, Emperors, Kings and Princes: so this
hath vexed mightily the Kings Majestie our dread Sove-
raigne, disturbed both Church and Common-wealth, and
hath led all his Subjects in *Scotland* blind-fold to Rebelli-
on, given evill example to other Kingdomes, and
brought an evident Scandall upon the reformed Religi-
on. There hath been no lesse humane or rather Satanicall
policie, and subtilie close conveyance practised by the
chiefe

chiefe Rulers in that Assembly of *Glasgow*, both in the Preparation, Prosecution, and Conclusion thereof, (yet in this more malice, and lesse respect to the Supreme Magistrat, and present established estate of the Church) than in that of *Trent*.

First, as the Pope and his Cardinalls in the Consistorie professed, that they desired a generall Councell, and did openly exhort the Emperor, Kings, Princes, and Republicques to concurre with them: yet they declared evidently by their dealing that they desired, either not at all a Councell, or not such an one as should be assembled by the Authoritie of the Emperor and Kings, or that any of them or their Ambassadors should have suffrage therein, and much lesse presidencie according to the ancient Custome of the Church, esteeming that their Authority, suffrage, or presence would crosse their particular ends: Even so our Covenanters, albeit they often petitioned his Majestie for the libertie of a generall Assemblie, yet they declared plainly by their proceedings, that they did not desire such an one, as should be either convocaed by his Majesties Authoritie, or wherein he, his Commission or Councell should preside, or give suffrage, or be present, if it had been in their choice, accounting it so not to be a free Assemblie.

Secondly, as the Pope and his Cardinalls in the Consistorie used Politick meanes, that none or few of these Prelates, whom they supposed in any wayes would crosse their designs, should appeare in the Councell: although publikly they did admonish all, yet by private threatnings and distastes, hindred from comming many of the Bishops of *Germany*, *France* and *Spaine*: but on the contrary, allured by divers means those whom they supposed would favour their designs, as all the Bishops of *Italy*: so that when the Councell was at the greatest, there were above 150. Italian Bishops, whereof many were at the Popes charges, yet not above 60. of all other Nations. So in this at *Glasgow*, politick meanes were used that none should

should be chosen Commissioners, except Covenanters; and of those, only the strongest and most obstinate, who had solemnly already sworn unto these things they intended to conclude: and on the other part, meanes were used that all those, who were suspected to be averse from their designs, or not forward enough, should be excluded: as is evident by the particular Instructions sent from the Tables of the Covenant unto all the Presbyteries of *Scotland*, which were discovered by the care and diligence of his Majesties Commissioner: and produced in open Assembly to their great confusion, whereby it was appointed that care should be taken that none should be chosen as Commissioner, for the Ministers or ruling Elders, but Covenanters, and those wel-affected to the business; And if that any other happen to be chosen by the greater part, that all the best affected protest against them, and proceesse them before the Assembly that they might be excluded from voycing, and for that effect also directed an informall and illegall Citations against all the Bishops, to exclude them from having place or voyce in their assembly, who ought to have been (by the present lawes of the Church of *Scotland*, and continuall practice of the univerfall Church in all ages) the principall members thereof.

Thirdly, as in the Councell of *Trent*, the Pope of Rome to have more voices favouring his designs, did create many titular Bishops, who had no Christian flock, and had never so much as seen that Church which they did represent. So likewise in this Assembly were brought in many Titular Lay-elders, as Commissioners from Presbyteries, wherein they had no habitations, nor ever did sit therein to exercise their rule of Elder-ship before the day of their election to be Commissioners to the Assemblie.

Fourthly, the Pope and his Cardinalls did complaine that the Emperor and Kings would have prelimitate the Councell by their directions: yet the Ambassadors and Prelates did in every Session and Congregation complain

more justly, that the Councell was not free, being strangely prelimitate by the Pope and Consistory of Rome, both in the members and matters to be proposed, as also in framing of the Canons. So our Covenanters did require a free assembly, affirming, that as farre as the assembly should be prelimitate either in the members or matters to be treated, so farre the necessary ends of the Assembly and good of the Church was hindred, accounting it a most dangerous usurpation to any person or Iudicatorie whatsoever, to impose any such limitations, except an Assembly it self; And therefore did most grievously complaine against his Majestie, (although unjustly) for he required no limitations, but such as were prescribed by former lawfull assemblies. Yet his Majestie and the whole Kingdome may more justly complaine of them, who refusing the reasonable prelimitations of other former assemblies; did nevertheesse admit strange limitations from the Tables of the Covenant, (which was neither a lawfull Assembly of the Church, nor had any authority over the same) and those also against the established Constitutions of former generall Assemblies and Lawes of the Kingdome, as appeares evidently by those foure papers of Instructions sent to every Presbytery, according to the which the Assembly was limitate both in the members and matters.

Fittly, as in the Councell of Trent nothing was admitted to Consultation, but *Proponentibus Legatis*, which gave occasion of offence to many: no Bishop, no Prelate, no Regall Ambassador, nor any good Christian had liberty to propose any thing, onely the Popes Legates had this Power, who did propose every thing as they received instructions from Rome: even so in this Assembly, nothing was admitted to Deliberation, but *Proponente Moderatore*; And he likewise was confined to the Ordinance of the Tables, who had before set down every Article which was to be treated: All propositions of any other whatsoever, though flowing from his Majestie, by
his

his Commissioner or Councell, were contemptuously rejected.

Sixty, as in the Councell of *Trent*, let the Fathers and Doctors deliberate and reason *Pro & Contra* as they pleased, yet nothing was concluded, untill it was first agreed unto by the Pope and his Cardinals at *Rome*, and their determination, who never heard the reasoning, was sent to *Trent* to be enacted, and that no otherwife then it was set down by them; which gave occasion to that common proverbe, That the holy Spirit, whereby the Councell was directed, came from *Rome* in a Clog-bag. So likewise all that which was done in this Assembly was fore-ordained by the Tables of the Covenant in *Edinburgh*: For there were all the members of the Assembly constituted, though contrary to the perpetuall practice of the Church; there were all the Commissions framed, and a Cople thereof sent to every Presbyterie, as appeared by the production, since never one of them was different in one Syllable from another; there also was the whole order of the Assemblie set down, and accordingly observed; there were all things which were to be proposed in the Assembly, discussed and concluded by the Rulers of the Covenant, who for the most part were Lay-persons, Noblemen, Gentlemen, Burgeses, and some few Ministers most forward in the cause: therefore it may be justly said, that the Spirit, whereby those holy Brethren of the Assembly were ruled, came not from Heaven, but directly from *Edinburgh*. I leave you to imagine by the effects what Spirit that was, which hath stirred up such Sedition, Rebellion, Disorder and Confusion both in Church and Common-wealth.

Then although in these points of Corruptions, and many other which for shortnes we omit, this Assembly at *Glasgow* was not unlike that Councell of *Trent*; yet I will be bold to say, and that truly, that in some substantiall points, that Councell was more formall than this Assemblie.

For the Councell of *Trent* in the Externall order and Constitution of the members thereof, kept more formality and decency according to the order of the Church many ages before. 1. There was none admitted to that Councell except Prelates of the Church, Ambassadors of Princes, and the most learned Doctors in all Europe for the time; And such as the Prelates thought fit in the bounds of their Iurisdiction to reason in weighty points of Doctrine. 2. In their Congregations and Sessions, they did sit every man in his owne place according to his degree, with such gravitie, modestie and decencie, as did become Reverend Fathers, distinguished one from another by their habits, appointed by the Canons of the Church, making it appear to the beholders, a Venerable Assemblie. 3. In their proceedings were appointed the wisest of the Bishops, and most learned amongst the Doctors to frame the Articles, and being framed, were particularly one by one discussed, by weighty reasons maturely in severall dayes and diets, all doubts particularly moved, and Objections solidly answered according to their grounds, using not onely the testimony of former approved Councils, Fathers and learned Schoolmen, but also very frequently the Authority of Sacred Scriptures: So that if in their conclusions they had pondered well the reasons alleaged, and had concluded according to the same, and not according to the Popes sole Authority; that Councell might have had a more happy event for the weell and peace of the Christian Church.

But in this Assemblie at *Glasgow* was not observed that forme, order or decencie, which did become a venerable Ecclesiastick meeting: for first, these, who were ever esteemed the Principall members of all generall or Nationall Councils, to wit, the Reverend Bishops of the Church, were excluded; a company of Lay-men, Earles, Lords, Gentlemen and Burgeses, without warrant, Authority, or example of the ancient Church were thrust in their roomes, bearing chiefe Sway in the Assemblie, carrying

rying all matters violently for their own ends ; so that it was remarked by wise and grave men, that one Earle and one Lord made more speech in the Assemblie, than all the Clergie, except the Moderator. 2. In their Sessions, no order or decencie observed, all sitting pel-mell, without distinction of Degrees, save onely that Lay-Noblemen and Gentlemen occupied the chiefest roomes with their swords and pistolls by their sides ; The Ministers mixt amongst Burgessees, Merchants, and Noblemens servants, hardly to be discerned from them by their Habite or Carriage ; Many of the Ministers in coloured clothes, all in short cloakes, except the Ministers of *Glasgow* who had their Gownes ; so that unlesse one had known their persons before, they should scarcely have discerned the Ministers from the Merchant or Taylor. 3. The Ministers were not there by the approbation of their Bishops according to the custome of the Primitive Church, and Acts of the generall Assemblies of *Scotland* long after the Reformation, as for instance, in that Assemblie at *Edinburgh* July 1568. It was expressly ordained, that no Minister should leave his Flock, except such as were chosen by their Superintendants : but by Commissions from their new invented form of Presbyteries, wherein Lay-men had the greatest rule, or rather from the Tables of the Covenant, who did not choose the most wise, modest and learned Brethren ; but the most turbulent, seditious, and bold to oppose Authoritie : fit members indeed of such an Assemblie. 4. In discussing of the matters which were concluded, no reasoning but superficial ; no carefull pondering of the Reasons, but all taken *Implicitis & sive*, which had any shew ; no exact distinguishing of the Articles, but many matters of different nature were huddled up together confusedly, and with great precipitation were voyced and concluded. The Assembly continued onely a moneth, and a great part of that time (to wit from the 21. of November to the 4. of December) was consumed in circumstantiall points concerning the persons

sions to be admitted to have voice in receiving and discussing their Commissions, in Contestations betwixt the Commissioner and the Covenanters, in excluding some of his Majesties Counsellors authorized by him to have voyce in the Assemblie, contrary to the Practice of all Ancient approved Councils, either Generall or Nationall; in rejecting most just protestations of divers Presbyteries against this Assemblie, as that of the Presbyteries of *Glasgow*, of *Peebles*, of *Aberdeine*, of the Channony of *Rosse*; in refusing to heare read the most just declinature and protestations of the Bishops. And finally, in declaring certaine books of the former Assemblies to be Authentick registers.

At last, the fourth of December they enter to the principall matters for which this Assembly was required, beginning at the condemnation of the six last generall Assemblies, conveyened, continued, and concluded by the Kings Majesties Authoritie, and full consent of the Church, and ratified by the whole bodie of the Kingdome in Parliament: which they did in shorter space then could suffice to reade them over; so precipitate were they in condemning absolutely so many grave Assemblies with such unanimous consent, as never one was called, but (without reason or judgement) condemned them all in one word, by implicate faith given to some few, neither of the most wise, or learned of the company, who had a Committee to invent some apparant reasons to annul the same: and that is most certaine that the two part of those who voyced against them, had never seen the Acts and the proceedings of these Assemblies, or at least had never read nor perused them; But out of a blind zeal and Jesuiticall obedience, did it only, because they were so directed by the Tables of the Covenant, and their rebellious Leaders.

In another Session they deposed and excommunicated summarily fourteen Bishops, upon a pretended false Libell produced before the Presbytery of *Edinburgh* against them

them (which by no law or reason could be competent Judges to their proesse) without lawfull citation, contrary to the Acts of many generall Assemblies, the Books of Discipline and perpetuall practice of the Church; For the Church of *Scotland* was never accustomed, no, not in the most strict times of Presbyteriall government, to proceed so summarily to the sentence of excommunication against most notorious offenders, without mature deliberation and long space granted to the Accused, either to justify himself, or declare his repentance. 1. There was used three private personall Citations to appear before the Presbytery; next, if those were not obeyed, three publik Citations one three severall Sabbaths. 3. Followed three publik prayers for their conversion, and if at any of these times they did appear, either to purge themselves of the crime imputed to them, or submitting themselves to the censure of the Church; The sentence of excommunication was not pronounced against them.

In another Session, they condemned with one voyce the Book of Common Prayer, the Book of Canons, the Book of Ordination of Ministers, and Consecration of Bishops, together with the Court of the High Commission: which space was not sufficient to have read over all those books, muchlesse to peruse them thoroughly, and discusse the controverted points therein, which was necessarily requisite to be done before they had been absolutely rejected.

But this is strange, that the principall and most weighty point, for the which chiefly they did procure this Assembly, should have been so slightly, & with such precipitation handled, to wit, whether Bishops should be retained or removed forth of the Church of *Scotland*: A Doctrine so universally approved by the whole Christian Church, even in her purest time since the Apostles dayes, and allowed in Substance by the reformed Church of *Scotland*, for many yeares after the reformation; And though repressed for a time, yet re-established again by divers more

lawfull Assemblies, than this, ratified by divers Acts of Parliament, and continued now for many yeeres by-gon; there behoved to be many and weighty reasons why such a Doctrine should be converted, with a serious deliberation to ponder and consider them; yet nevertheless in this Assembly in one short Session, the whole matter was proponed, discussed, voiced, concluded, and a large Act past thereupon.

CHAP. II.

Concerning the Act against Episcopacie.

Albeit it were an easie matter to refute all the controverted Acts of this Assemblie, yet leaving the rest at this time, we intend onely to examine that Act, *Seff. 26. Decemb. 3.* Against Episcopacie, And that for two reasons especially:

First, because the grounds whereupon this Act is concluded, are the self-same whereupon all the rest of the controverted Acts are grounded; and therefore these grounds being declared evidently to be infirme and weak, it will also appear that together with this Act of Episcopacie, All the rest of their Acts depending thereupon shall be found to be ruinous, as I trust their fall shall be suddain.

Secondly, because the principall aime of the most and chiefest of these, who were members of that Conventicle, was to suppress Bishops, because they esteemed them chiefly to have crossed their sacrilegious and ambitious designs: For, before Bishops were re-established, the Noblemen and Barons both possessed the substance of the Church rents, and also ruled the whole Estate at their pleasure in Councell and Parliament, by their own voyces, and voyces of the Gentry and Burroughs, who in those factious times did depend for the most part upon
one

one Noble man or other : then finding that by the re-establishing of Bishops, their rents were taken out of their hands, and that they were like to loose their Abbeyes, and Priories also; and finally, that their particular ends (not alwayes tending to the weell of the Church,) or Kingdome, or Honour of the Prince,) were crossed by the estate of Bishops : no marvell then, though they be moved by all meanes possible to suppress them; and for that effect have laboured to make use of the simplicitie of some of the Ministrie, and proud humours of others impatient of Subjection to lawfull Authoritie, of whom some having aimed in vaine at Bishopricks (as is well known of divers of the Ring-leaders of that Faction) thought it best for their credit, to declare a great contempt of that estate, which they had with much labour sought after, without the desired effect, according to the fable of the Fox : others by their former misdemeanors both against the Church and Regall Authority, being past hope of further advancement, did easily condescend to shake off that yoke, which their turbulent humours could never suffer them patiently to bear; those were made to blow the trumpet of Rebellion, both in their Pulpits and private conferences, drawing the people after them, and the simplest sort of Ministers also, who did not judiciously remark their secret ends, cloaked under the colour of Religion, and libertie of the Church, by which meanes this condemning of Episcopacie was brought in head with all the consequences thereof.

This is the point we mean to examine for the present, and that you may see the weaknes of their reasons the better, we shall set down *verbatim* the Act it self, as it was conceived by them.

Act of the Assemblie at Glasgow, Seß. 16.
Decemb. 8. 1638. Declaring Episcopacie to
have been abjured by the Confession of Faith,
1580. And to be removed out of this Kirk.

THe Assemblie taking to their most grave and se-
rious Consideration, first, the unspeakable goodnesse
and great mercie of God manifested to this Na-
tion, in that so necessarie, so difficult, and so ex-
cellent and divine work of Reformation, which was at last
brought to such perfection, that this Kirk was reformed,
not only in Doctrine and Worship, but also after many
conferences and publick reasonings in divers Nationall
Assemblies, joyned with solemn humiliations and prayers to
God, the Discipline and Government of the Kirk, as the
hedge and guard of the doctrine and worship, was prescri-
bed according to the rule of Gods word; in the book of Po-
licie and Discipline, agreed upon in the Assemblie 1578,
and insert in the Register 1581. established by the Acts of
the Assemblies, by the confession of Faith, sworn and sub-
scribed at the direction of the Assembly, and by continuall
practise of this Kirk. Secondly, that by men seeking their
own things, and not the things of Jesus Christ; divers
Novations have been introduced to the great disturbance of
this Kirk, so firmly once compacted, and so the endan-
gering of Religion, and many grosse evils obtruded, to the ut-
ter overthrowing of the work of Reformation; and change of the
whole form of worship and face of this Kirk, commanded
to receive with reverence a new Book of Common prayer,
as the onely form to be used in Gods publick worship, and the
Contraveners to be congruently censured, and punished: and
after many supplications and complaints, knowing no other
way for the preservation of Religion, were moved by God,
and drawn by necessity, to renew the Nationall Covenant

of this Kirk and kingdom, which the Lord since hath blessed from Heaven, and to subscribe the confession of faith, with an Application thereof abjuring the great evils wherein they were now pressed, and suspending the practice of all Novations formerly introduced, till they should be tryed in a free generall Assembly: lastly, that some of his Majesties Subjects of sundry ranks have by his Majesties command subscribed and renewed the confession of Faith, without the former explication: And that both the one and the other Subscribers have subscribed the said Confession in this year, as it was professed, and according to the meaning that is had in this Kingdom, when it was first subscribed, 1581. and afterward: The Assemblie therefore both by the Subscription of his Majesties high Commissioner, and of the Lords of secret Councell, Sept. 22. 1638. and by the Acts of Councell of the date foresaid, bearing that they should subscribe the said Confession, and ordaining all his Majesties Subjects to subscribe the same; according to the foresaid date and tenor, and as it was then professed within this Kingdom; As likewise by the protestation of some of the Senators of the Colledge of Justice, when they were required to subscribe, and by the many doubtings of his Majesties good Subjects, especially because the Subscribers of the Confession in February 1638. were bound to suspend the approbation of the corruptions of the Government of the Kirk, till they be tryed in a free generall Assembly; finding it proper for them, and most necessarie and incumbent to them, to give out the true meaning thereof, as it was at first professed, that all his Majesties Subjects in a matter so important, as is the publick Confession of Faith, so solemnly sworn and subscribed, may be of one mind and one heart, and have full satisfaction to all their doubts; and that the posteritie afterward may be fully perswaded of the true meaning thereof, after earnest calling upon the Name of God, so religiously attested in the said Confession, have entered into a diligent search of the Registers of the Kirk, and books of the Generall Assembly, which the greatest part of the Assemblie

had not seem before, and which by the speciall providence of God were preserved, brought to their hands, and publicly acknowledged to be authentick, and have found that in the later Confession of the Kirk of Scotland; we professe 1. That we detest all Traditions brought into the Kirk, without or against the Word of God, and Doctrine of this reformed Kirk. Next, We abhorre and detest all contrary Religion and Doctrine, but chiefly, all kind of Papistry in generall, and particular heads; as they were then damned and confuted by the Word of God, and Kirk of Scotland; when the said Confession was sworn and subscribed, Anno 1580. & 1581. 1590. & 1591. Thirdly, That we detest the Romane Antichrist, his worldly Monarchie, and wicked Hierarchie. Fourthly, That we joyne ourselves to this reformed Kirk in Doctrine Faith, Religion, and Discipline; promising and swearing by the great Name of God, that we shall continue in the doctrine and discipline of this Kirk, and defend the same according to our Vocation and Power, all the dayes of our life.

But so it is that Episcopall government is abhorred and detested, and the Government by Ministers and Elders, in Assemblies Generall and Provinciall, and Presbyteries was sworn to and subscribed, in subscribing that Confession, and ought to be bolden by Us, if we adhere to the meaning of the Kirk, when that Confession was framed, sworn to, and subscribed; unto which we are obliged by the Nationall oath and subscription of this Kirk, as is evident by the Acts of Generall Assemblies, agreed upon both before, at, and after the swearing and subscribing of the said Confession, in the years above mentioned, and the book of Politie agreed upon in the Assemblée which was holden at Edinburgh the 24. of Aprill, and 24. of October, Anno 1578. insert in the Register of the Kirk by Ordinance of the Assemblée holden at Glasgow 1581. and so be subscribed by all Ministers and Elders then did bear, or thereafter were to bear office in this Kirk, by ordinance of the Assemblée

semble holden the 4. of August at Edinburgh 1590. and at Edinburgh the 2. of July 1591. but specially in the 3. 4. 6. 7. and 11. Chapters of the said Book.

The Bishops being tollerate from the year 1572. till the Assembly holden in August 1575. And all this time the Assembly being wearied with the Complaints made against them, did enter in search of the office it self, and did agree in this, that the name of a Bishop is common to every one of them that hath a particular flock, over which he hath a particular charge, as well to preach the Word, as to minister the Sacraments.

At the next Assembly which was holden in April 1576. such Bishops were censured, as had not taken them to a particular flock, in the generall Assembly convened in April, the year of God 1578. Sess. 4. Intimation was made as followeth:

For so much as the heads of the Policie being concluded and agreed upon in the last Assembly, by the most part of the Brethren: certaine of the Brethren had some difficultie in the head, *de Diaconatu*; whereupon further reasoning was referred to this Assembly: It is therefore required, if any of the Brethren have any reasonable doubt or argument to propone, that he be ready the morrow, and then he shall be heard and resolved. In the 6. Sess. April 26. According to the Ordinance made the day before; all persons that had any doubt or argument to propone, were required to propone the same: But none offered to propone any argument on the contrary. In the Assembly holden at Edinburgh, in October 1578. It was shewne by the Moderator thereof to the Noblemen, who were present, viz. My Lord Chancellor, the Earle of Montrose, my Lord Sennar, and my Lord Lindsey, What care and studie the Assembly had taken to entertaine and keep the puritie of the sincere Word of God, unmixed with the inventions of their own heads; and to preserve it to the posteritie hereafter; and seeing that the true Religion is not able to continue, nor endure long without a good

disci-

discipline and policie, in that part also have they imployed their wit and studie, and drawn forth out of the pure fountaine of Gods Word, such a Discipline as is meet to remain in the Kirk.

In the same Assemblie, the speciall Corruptions were set down, which they craved such of the Bishops as would submit themselves to the Assemblie to remove, with promise that if the generall Assemblie hereafter shall find further corruptions in the said Estate, then hitherto are expressed, that they be content to be reformed by the said Assemblie, according to the Word of God, when they shall be required thereto. First; That they be content to be Pastors and Ministers of one flock: that they usurpe no criminall Iurisdiction, that they vote not in Parliament in the Name of the Kirk, that they take not up for the maintenance of their Ambition and Riotousnesse, the Emoluments of the Kirk, which may susteine many Pastors, the Schools, and the poore; but be content with reasonable Livings according to their office: that they claime not to themselves the titles of Lords Temporall, neither usurpe temporall Iurisdctions, whereby they are abstracted from their office; that they empyre not above the particular Elder-ships, but be subject to the same: that they usurpe not the power of the Presbyteries.

The Question being propounded by the Synod of Lowthian in the Assembly holden in July 1579. anent a generall order to be taken for the erecting of Presbyteries, in places where publike exercise is used, untill the time the Policie of the Kirk be established by a Law: It is answered, The exercise may be judged to be a Presbyterie. In the Assemblie holden at Dundie in July 1580. Sess. 4. The office of a Bishop was abolished by a particular Act; as appeareth by the tenor of the Act following.

For so much as the office of a Bishop, as it is now used and commonly taken within this Realm, hath no sure warrant, Authoritie, nor good ground in the Scriptures, but is brought in by the folly and corruption of mans inventions

ventions, to the great overthrow of the Kirk of God, the whole Assemblie of the Kirk in one voyce, after libertie given to all men to reason in the matter, none opposing himself in defending the said pretended office, findeth and declareth the said pretended office, used and termed, as is abovesaid, unlawfull in it self, as having neither fundament, ground, nor warrant in the Word of God; And ordaineth that all such persons as brook or shall brook hereafter the said office, shall be charged simply to dimit, quit, and leave off the same, as an office whereunto they are not called by God: And such like to desist and cease from all preaching, ministracion of the Sacraments, or using any way the office of Pastors, while they receive *de novo*, Admission from the generall Assembly, under the paine of excommunication to be used against them, wherein if they be found disobedient, or contradict this Act in any point, the sentence of Excommunication, after due admonition, to be executed against them.

In the same Assembly holden Anno 1580. Sess. 10. This Article was appointed to be propounded to the King and Councell, that the book of Policies might be established by an Act of privie Councell, while a Parliament be holden, in which it might be confirmed by a Law.

The extent of the Act made at Dundie, was interpreted and explained in the Assembly holden at Glasgow, in April 1581. Sess. 6. as followeth: Anent the Act made in the Assembly holden at Dundie against Bishops, because some difficultie appeared to some Brethren to arise out of the word (Office) contained in the said Act, what should be meant thereby, the Assembly consisting for the most part of such as voted, and were present in the Assembly at Dundie, to take away the said difficultie, resolving upon the true meaning and understanding of the said Act, declare that they meant wholly to condemne the whole estate of Bishops, as they are now in Scotland; and that the same was the determination and conclusion

of the Assembly at this time, because some Brethren doubted whether the former Act was to be understood of the *Spiritual function* onely, and others alleaged that the *whole office of a Bishop*, as it was used, was damnable, and that by the said Act, the Bishops should be charged to dimit the same: this Assembly declareth that they meant wholly to condemne the whole estate of Bishops, as they were then in *Scotland*, And that this was the meaning of the Assembly at that time.

The Kings Commissioner presented unto this Assembly the Confession of Faith, subscribed by the King and his household, not long before together with a plot of the Presbyteries to be erected, which is Registrate in the books of the Assembly, with a Letter to be directed from his Majestie to the Noblemen, and Gentlemen of the Countrey, for their action of Presbyteries, consisling of Pastors and Elders, and dissolutions of Prelacies, and with an offer to set forward the Policie untill it were established by Parliament: The Kings letter subscribed by his hand, to the Noblemen and Gentlemen, was read in open audience of the whole Assembly.

This Assembly ordained the book of Policie to be insert in the Register by the Act following.

For as much as travell hath been taken in the framing of the Policie of the Kirk, and divers suits have been made by the Magistrate for Approbation thereof, which yet hath not taken the happy effect; which good men would wish, yet that the posteritie may judge well of the present Age, and of the meaning of the Kirk; the Assembly hath concluded, that the book of Policie agreed to in divers Assemblies before, should be registrate in the Acts of the Kirk, and remaine therein *ad perpetuam rei memoriam*: And the Copies thereof to be taken to every Presbyterie; of which book the Tenor followeth, &c.

Immediately after the inserting of the book of Policie, called there the book of Discipline; The Assembly ordained that the Confession of Faith be subscribed as followeth.

Ancient

Anent the Confession of Faith lately set forth by the Kings Majestie, and subscribed by his Highnesse: the Assembly in one voyce acknowledgeth the said Confession to be a true, Christian, and faithfull Confession, to be agreed unto by such as truly professe Christ, and have a care of Religion, and the tenour thereof to be followed out ofoldly, as the same is laid out in the said Proclamation, wherein that Discipline is sworn to.

In the generall Assemblie holden at Edinburgh in October 1581. Sess. 10. Mr. Robert Montgomery is accused for teaching that discipline is a thing indifferent; Sess. 23. The Assemblie gave Commission to the Presbytery of Stirling, to charge Mr. Robert Montgomery to continue in the Ministry of Stirling, and not to meddle with any other office or function of the Kirk; namely, in aspiring to the Bishoprick of Glasgow, against the Word of God, and Acts of the Kirk, under the pain of Excommunication.

In the same Assembly it is acknowledged that the estate of Bishops is condemned by the Kirk, Commission for erection of new Presbyteries was renewed: and a new Ordinance made for subscribing the Confession of Faith, and so proceed against whatsoever persons that would not acknowledge and subscribe the same.

In the Assembly holden in April 1582, there was a new Commission for erection of Presbyteries where none was as yet erected: Mr. Robert Montgomery, pretending to be Bishop of Glasgow, was ordained to be deposed and excommunicate, except he gave evident tokens of Repentance, and promise to superseed, which he did not: and therefore was excommunicate shortly after, according to the ordinance of this Assembly.

In the generall Assembly holden at Edinburgh 1582. The Generall Assembly gave Commission to some Presbyteries to try and censure such as were called Bishops, for the great slander arising by their impunitie. Commission was given at this Assembly to present some Articles to the

Councell and estates, for approving and establishing by their authoritie the Presbyteries, the Synodall and Generall Assemblies in the 19. Sess. the Assemblie declared that no Bishop may sit upon the Councell in name of the Kirk.

In the Assemblie holden Anno 1586. these two Articles were agreed upon. First, It is found that all such as the Scripture appointeth Governors of the Kirk, to wit, Pastors, Doctors, and Elders may convene to the generall Assemblies, and vote in Ecclesiasticall matters. Secondly, There are foure Office-bearers set down to us by the Scriptures, to wit, Pastors, Doctors, Elders, and Deacons, and the name of Bishop ought not to be taken, as it hath been in the time of Papistray, but is common to all Pastors and Ministers.

In the Assemblie holden Anno 1587. Sess. 8. It was ordained that the admission of Mr. Robert Montgomery by the Presbyterie of Glasgow, suppose to the Temporalitie of the Bishoprick only, be undone and annulled with all possible diligence, so the effect Slander might be removed from the Kirk. In Sess. 15. Mr. Rob. Pont shewed the Kings presentation to the Bishoprick of Cathnes, and desired the Indgement of the Assemblie. The Assemblie in their Letter to the Kings Majestie, declared that they judged the said Mr. Rob to be a Bishop already, according to the doctrine of S. Paul: but as to that corrupt estate or office of these who hath been termed Bishops heretofore, they found it not agreeable to the word of God, and that it hath been dammed in divers Assemblies before.

In the Instructions given to such as were appointed to waite upon the Parliament, it was ordained in the same Assemblie, Sess. 17. that they be carefull that nothing be admitted prejudiciall to the liberties of this Kirk, as it was concluded according to the word of God in the generall Assemblies, preceeding the year 1584. but precisely to seek the same to be ratified in the Assemblie holden in March 1589. where the Articles were made for the subscribing the confession of Faith with a Generall hand, it was ordained as follows.

For

For so much as the Neighbour Kirk in England is understood to be heavily troubled for maintaining of the true discipline and government, whose griefes ought to move us: therefore the Presbyterie of Edinburgh was ordained to comfort the said Kirk in the said matter.

In the Assembly holden 1590. when the Confession of Faith was subscribed universally de novo, A ratification of the liberties of the Kirk in her Jurisdiction, Discipline, Presbyteries, Synods, and generall Assemblies, and an abrogation of all things contrary therunto; was ordained to be sought both of the Councell and Parliament. In the next Session, it was ordained that the book of Discipline, specially the controverted heads, should be subscribed by all Ministers that beare, or hereafter were to beare office in this Kirk, and that they be charged by the Presbyteries under the paine of Excommunication: seeing the Word of God cannot be kept in sincerity, unlesse the holy Discipline be preserved. The Presbyteries were ordained to get a Copie under the Clerks hand; there was sundry Copies subscribed by the Ministers in the Presbyteries yet extant, as Haddington, Dumfermling, &c. produced before the Assembly.

In the Assembly 1591. Sefs. 4. The former Act anent the subscription to the book of Policie is renewed, and penaltie imposed upon the Moderator, in case it be not put in execution.

In the Assembly 22. May 1592. Sefs. 2. These articles were drawne up, That the Acts of Parliament made 1584. against the Discipline, Libertie, and Authoritie of the Kirk be annulled, and the same Discipline, whereof the Kirk hath been in practice, precisely ratified; that Abbots, Priories, and other Prelats pretending the title of the Kirk, be not suffered in time coming. In the eleventh Session, the number of the Presbyteries were given up, and insert in the Parliament immediately following. The fifth of June 1592. The Libertie, Discipline and Jurisdiction of the true Kirk in her Sessions, Presbyteries, Synodall and

generall Assemblies is largely ratified, as the same was used and exercised within this Realm, and all the Acts contrary thereto abrogate: the Kings prerogative declared not to be prejudiciall to the same priviledges grounded upon the Word of God: the former Commissions to Bishops 1584. rescinded, and all ecclesiasticall matters subjeſſed to Presbyteries, according to the discipline of this Kirk. Anno 1595. the Book of Policie with other Acts is ratified and ordained to be printed.

It was also cleared that Episcopacie was condemned in these words of the Confession, His wicked Hierarchie. For the Popish Hierarchie doth consist of Bishops, Presbyters, and Deacons, that is Baptizing and Preaching Deacons: for so it is determined in the Councell of Trent, in the 4. Chap. De Sacramento ordinis, Cant. 6. Si quis dixerit in Ecclesia Catholica non esse Hierarchiam divina ordinatione institutam, quæ constat ex Episcopis, Presbyteris & Ministris, anathema sit. Bellarmine likewise in his Book De Clericis cap. 11. saith, That there are three Hierarchies in the Militant Kirk: The first of Bishops, the second of Priests, the third of Deacons; and that the Deacons are also Princes, if they be compared with the people: *This proposition following*; Hierarchia ecclesiastica constat ex Pontifice, Cardinalibus, Archiepiscopis, Episcopis & Regularibus, *was censured by the facultie of Theologie in the Universitie at Paris, as followeth*; In ista prima propositione enumeratio membrorum Hierarchie Ecclesiasticæ seu sacri Principatus, divina ordinatione instituti est manca & redundans atq; inducens in errorem contrarium determinationi sacre Synodi Tridentinæ: *The proposition was defective, because it pretermitted the Presbyters and Deacons; it was censured as redundant, because it made the Hierarchie to consist of the Pope, Cardinals, Archbishops and Regulars; the Pope is not within the Hierarchie, Primats, Metropolitans, and Archbishops, but as they are Bishops. Furthermore, this Hierarchie is distinguished in the Confession from the*
Popes

Popes Monarchie, and howbeit this Hierarchie be called the Antichrists Hierarchie, yet it is not to distinguish betwixt the Hierarchie in the Popish Kirk, and any other as lawfull: but the Hierarchie wheresoever it is, is called his; as the rest of the Popish corruption are called his, to wit, Invocation of Saints, Cannonzation of Saints, Dedication of Altars, &c. are called his, not that there is another lawfull Cannonzation, Invocation or Dedication of Altars: whatsoever corruption was in the Kirk, either in Doctrine, worship, or Government, since the Myserie of Iniquitie began to work, and is retained, and maintained by the Pope, and obtruded upon the Kirk by his Authoritie are his. A passage also out of the History of the Councell of Trent was alleaged, where it is related, that the Councell would not define the Hierarchie by the seven Orders: we have in our Confession of Faith the manifest Orders set a part and distinguished from the Hierarchie, but as it is set down in the Canon above cited: we have in the book of Policie or second book of Discipline, in the end of the second Chapter, this Conclusion agreed upon. Therefore all the ambitious Titles invented in the Kingdome of Antichrist, and in his usurped Hierarchie, which are not of one of these foure sorts, to wit, Pastors, Doctors, Elders and Deacons: together with the offices depending thereupon, in one word ought to be rejected.

All which and many other Warrants being publicly read, and particularly at great length examined, & all objections answered in face of the Assembly, all the members of the Assembly being many times desired and required to propound their doubts and scruples, and every one being heard to the full, and after much agitation as fully satisfied; The Moderator at last exhorting every one to declare his mind did put the matter to voting in these termes: Whether according to the Confession of Faith, as it was professed in the year 1580. 1581. and 1590. there be any other Bishop, but a Pastour of a particular flock, having no power nor preeminence nor power over his Brethren,

and

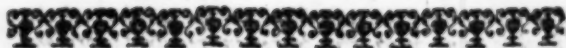
and whether by that Confession, as it was then professed, all other Episcopacie is abjured, and ought to be removed out of this Kirk.

The whole Assemblie most unanimously, without contradiction of any one (and with the hesitation of one allanerly) professing full perswasion of mind, did voyce, That all Episcopacie different from that of a pastour over a particular flock, was abjured in this Kirk, and to be removed out of it. And therefore prohibits under Ecclesiasticall censure any to usurpe, accept, defend, or obey the pretended authority thereof in time comming.

Collected, visied, and extracted forth of the Register of the Acts of Assemblie by me
Mr. A. Johnstone Clerk thereto, under my sigae and subscription manuell.

Edinburgh, the 12.
of Jan. 1639.

A. Johnstone Cler. Eccl.



CHAP.

CHAP. III.

Discussing the foure Considerations whereby they were moved to make this Act.

OUR Covenanters before they come to the point, in the beginning of the Act, have set down foure considerations whereby they alleage they were moved, yea forced of Necessity to conclude this Act against Bishops: and albeit they doe not directly appertaine to the substance of the Controversie, yet we will shortly observe some few notes thereupon, to shew upon what impertinent Considerations this Act hath been grounded.

Their first Consideration is of the unspeakable goodness and great mercie of God, manifested to this Nation in that excellent and divine work of Reformation, brought to perfection, not onely in Doctrine and worship, but also in Discipline and Government, &c.

Whereupon first we must remark, that if they had seriously considered that excellent work of Reformation, with due respect towards these worthy Reformers, (whom God used as instruments in effectuating that work) they should never have been moved thereby to have concluded such an Act as this, so directly contrary to their mind; for they at the Reformation did establish such a discipline and government in the Church according to Gods Word, as whereby one Pastour under the Name of *Superintendent* might lawfully have power and preeminence over other Brethren of the Ministrie, and over moe particular flock than one; which discipline and government continued with happie success in the Church of Scotland, above thirty yeers after the Reformation: but they have made this Act quite contradictory thereto, *That it is not lawfull for one Pastor to have power and preeminence over other Brethren, nor over moe particular flock than one.*

2. That which they alleage that the second Book of

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Discipline is the perfection of the work of Reformation, can no wise be true; for that cannot rightly be called the perfection of any thing, which doth reverse and destroy the substance and nature thereof: but so it is that the Government established by the second book of Discipline, which was presbyteriall, including an absolute paritie amongst Pastors, did reverse and destroy the nature of the government established by the Reformation, which was Episcopall, including directly Superioritie of one Pastor over others; and therefore it could no wayes truly be called the perfection thereof.

3. It is false that this Discipline was established by the Confession of Faith, as shall be hereafter qualified by discussing all the passages falsely and impertinently alleaged for the same: As likewise I see not how it can be true, that this book of Discipline was established by the continuall practice of the Church; for some points thereof were never practised in the Church of *Scotland*, and those which were practised contrary to the estate of Bishops, were not of long continuance; the practice of 8. or 10. or 15. yeeres (which is the most I can reckon) cannot be accounted such a continued practice, as may make prescription against the continuall practice of the whole Christian Church for many hundred yeeres before, and above six and thirtie yeeres since the approved practice of the principall points of their Discipline were discontinued, as we shall shew more particularly hereafter.

Their second Consideration is, that by mens seeking their own things and not the things of Christ, many Innovations and great evils have been obtruded upon the Church, to the utter undoing of the work of reformation, and change of the whole forme of worship and face of the Church.

To this we answer, that those Constitutions of the Church (which they call Novations and Evils, such as the establishing of Bishops; Baptisme in private places in case of Necessitie; reverent Kneeling in the Act of recei-

ving

ving the Supper of the Lord ; not refusing to give it to the sick who earnestly desire it ; the thankfull remembrance of Gods speciall benefits by prayer ; and preaching of the Word upon certaine appointed dayes ; the Catechizing of yong children ; and presenting of them to the Bishop to blesse them by prayer for increase of knowledge and continuance of Gods grace) are neither evils in themselves, but tending to the removall of evils from the worship of God : as irreverence and contempt of the Sacraments, neglect of a thankfull remembrance of Gods speciall benefits, and ignorance in youth, and to the establishing of great good in the Church, as sound Government, Reverence in the worship of God, thankfulness for Gods benefits, increase of knowledge in the yonger sort, and Spirituall comfort to Christian soules in Distresse : Neither are they to be accounted Novations, but rather a restoring of the ancient Constitutions and Customes of the Primitive Church in her purest times.

2. These things cannot be said to be obruded upon the Church, which were received by the Consent both of the Church in Generall Assemblies, and by the whole body of the Kingdome in Parliament, as all those Constitutions which they challenge have been : but on the contrary, those things are said more truely to be obruded upon the Church, which are not brought in either by Assemblies or Parliament, yea directly against the Acts of both standing in force are violently urged upon the people, not onely to receive them simply, but likewise to swear solemnly to the truth thereof by the great name of God, and that not by any having authority or lawfull calling thereunto, but by certaine seditious private persons : and such are their seditious Covenant and impertinent applications, or false interpretations of the Confession of Faith ; whereby many persons of sundry estates were by false allurements and violent threatnings, forced against their minds, to swear directly disobedience to the Kings Laws and Constitutions of the Church.

Finally, it is also false, that those things which they call Novations, have undone the work of Reformation, and changed the whole forme of Gods worship or face of the Church: For the work of Reformation is rather restored by the establishing of Bishops, which was destroyed in that point by their Presbyteriall Government, and absolute paritie of Pastors; as we have touched already, and shall be more fully cleared hereafter. Then albeit some Circumstances and Ceremonies in Gods worship, and externall apparell of the Church have been changed, yet the substance and forme of Faith, Religion, worship, and the Beautifull face of the Spouse of Christ, the Church, doth notwithstanding remaine still without charge or alteration; which S. *Austin* Epist. 86. expresseth fully, speaking of the like Novations in these words, *Una fides est universa Ecclesie, tametsi ipsa fidei unitas quibusdam diversis observationibus celebratur, quibus nullo modo quod in fide verum est impeditur, omnis enim pulchritudo filia regis intrinsecus, illa autem observationes quae variis celebrantur, in ejus veste intelliguntur.* That is to say, The faith of the universall Church is one, although the unitie of the Faith it self be celebrated by some diversitie of observations, whereby the truth of faith is not hindered; for all the Beautie of the Kings daughter is within, But these observations which are diversly celebrated are in her apparell. And *Tertullian* lib. de virg. veland. faith, *Regula quidem fidei una omnino est sola immobilis & irreformabilis, &c.* And a little after, *Hac lege fidei manente, cetera jam disciplina & conversationis admittunt novitatem correctionis, operante & proficiente usque in finem gratia Dei.* That is to say, The rule of Faith is altogether one only, unchangeable, and such as admitteth no reformation; this Law of Faith standing firme, the rest that concerne discipline and reformation may admit the Noveltie of Correction by the grace of God, which worketh a profitable progresse even to the end.

Their third Consideration is, that by the Kings urging
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of the Book of Common Prayer, they knowing no other way to preserve Religion, were moved by God, and urged by Necessity to renew the Nationall Covenant, which the Lord since hath blessed from heaven, and to subscribe the Confession of Faith with an *Application*, abjuring and suspending all Novations formerly introduced, till they should be tried in a free generall Assembly.

To this I answer, first, that the Kings urging of the Book of Common prayer was not the true essentiall cause of their rebellious Covenant, but onely an occasion greedily apprehended by the Ring-leaders, to make that a pretext to stirre up the people to follow them in their Rebellion, which they had before purposed in their heart: For, if it had been the true cause when the King discharged that book, their Rebellion had there ceased; for *sublata vera causa tollitur effectus*, the true cause being taken away the effect must needs cease: But so it is that their Rebellion did never shew it self in so damnable effects, as it did after the discharge of the book of Common prayer, and granting of all their petitions. 2. The urging of that Book containing no impious thing against God, nor hurtfull to true Religion, could not be a just motive to move them by any Necessitie to such an action, as by the fundamentall Laws of the Kingdome is declared to be high Treason; when as Subjects without permission or knowledge of the Kings Majestie, doe combine themselves in a mutuall band of maintenance against all persons whatsoever, not excepting the King their Sovereigne; yea, it is most evident that this Rebellious Covenant was intended against the Kings Majestie directly, and against him onely; albeit they cunningly dissemble and pretend the contrary; for from whom could so many potent Noblemen and gentlemen of such worth, with so great a number of their followers, possibly or by any likelihood fear any danger or harme in their persons or estates, for refusing the Book of Common prayer, or other things which they call Innovations, urged chiefly

by the Kings Authoritie and speciall Command, if it were not from the King himself; Could they fear any harme from thirteen or foureteen Bishops, for the most part old decrepit and impotent men? or was there any, the smallest appearance of externall Invasion, or inward Conspiracie in the Kingdome, before they made it by their Covenant? so it is manifest that it was from the King onely they feared danger, being conscious to themselves of their mis-demeanors and Rebellious intentions, by which it is more than evident, that the band of mutuall defence was onely intended against the Kings Majesties self.

3. Was there no other way to preserve Religion, but by Disobedience and Rebellion? it is a dangerous and harmefull physick, which prescribes a remedie worse than the disease it self: the greatest danger which could come to Religion by this Book, was only in circumstances, Ceremonies, and some mis-interpreted words, which being rightly understood could not have been rejected by peaceable, wise and understanding men, they might have been better interpreted or otherwise corrected, than by open disobedience to God and his Anointed: as *Obedience* (according to the saying of the Prophet) *is better than sacrifice*: so Disobedience and Rebellion bringeth more danger and harme to Religion, than the alteration of some indifferent Ceremonies and Circumstances can be able to doe, as any wise man may consider by the miserable effects which ordinarily accompanieth Rebellion.

4. It is false also that they were moved thereto by God. For God is the God of order, and the God of peace, the author and commander of obedience unto Superiors; and therefore cannot be called without blasphemie, the author of Rebellion, Disobedience, Disorder, and Confusion in Church or Common-wealth, such as this Covenant is in it self, and hath produced all those evils as the proper effects thereof: It is the doctrine of Anabaptists and fanaticall Libertines to ascribe all the foolish conceits of

of their braines to the motion of Gods Spirit : But certainly, it is more probable that they have been moved to this Rebellious Covenant by that Spirit, whereby *Choré*, *Daiban*, and *Abiram* were moved to make insurrection, drawing all the Congregation of Israel to Rebellion against *Moses* and *Aaron*, since both the Acts are very like one to another, as is evident by considering the circumstances. That Traitor *Raviliack* who killed *Henry* the Fourth of *France*, was as confident in his imagination; affirming, even to the very death, that he was not moved to that Fact by any particular respect, or instigation of another person, but onely by God and the Virgin *Mary*.

5. It is false also that they were thereto drawn by Necessitie; it was thought indeed that those of *Lower Germany* were drawn by some Necessity, to confederate themselves together against the King of *Spain*, (who was their Prince indeed) yet neither he, nor any of his Predecessors had such absolute Sovereignty over them, as our King hath over *Scotland*; because he violented their consciences, compelling them not onely to forsake, but also to forswear the true Religion, and embrace Popish Idolatry; not by Proclamations onely, but by fire and sword, and cruell torments in the Inquisition; whereby many thousands of them were put to death most cruelly, before ever they made any combination amongst themselves, or refused due Obedience to their Prince. Although nevertheless many wise and learned men are of opinion, that their rising in Armes against their Prince, was not altogether justifiable before God: much lesse then can our Covenanters alleage truly, that they were drawn by any Necessitie to this Rebellious combination; since for the refusall of that book, never a man in *Scotland* had lost his life or estate, or a drop of his blood, or was fined in a farthing, or had his body imprisoned, or a haire of his head touch'd before that Covenant.

6. They alleage that this was a renewing of the National

tionall Covenant injoynd by King *James*, which is most false; for it was a plaine contracting of a new one, different in Substance from that which was sworn either the year 1580. or 1590. as they know well, and their own conscience beares them witness. The substance of a Covenant consists 1. in the Authoritie whereby it is concluded. 2. In the parties betwixt whom. 3. In the matter or Articles whereunto they bind themselves. 4. In the end for the which it is contracted; but in all these points, this Covenant is different from the former injoynd by King *James* of happy memory.

First, the Kings Covenant was injoynd by the Authoritie of the King and his Councell, who only under God hath power to bind all his Subjects: but this was only framed and urged by private men, upon those, over whom they had no lawfull Authoritie. civill or ecclesiasticall.

Secondly, in that Covenant the parties were the Kings Majestie our dread Sovereign on th'one part, and all his Subjects on th'other part: in this, the parties are some particular private persons, Noblemen, Barrons, Gentlemen, Ministers, Burgesses, and Commons amongst themselves, excluding the Kings Majestie.

Thirdly, the matter and Articles whereunto all are bound in the first Covenant, are the maintenance of true Religion according to the Confession of Faith, Abjuration of all Antichristian and Popish errors, the defence of the Kings Majesties person, Authoritie and estate; but in this, albeit they pretend to bind themselves by oath to the defence of all these, yet is it but a pretext to cover their Rebellion, and *Protestatio contra factum*: for it is evident that they have in this very Fact, many wayes in-croached upon the Kings Majesties Authoritie and estate, contrarie to the fundamentall Laws of the Kingdome; but the principall Articles whereto they bind themselves is, 1. To stand together in the mutuall defence one of another against all persons whatsoever. 2. To the maintenance of their false Applications of the Confession of Faith

Faith added thereunto, like the Glosse of *Orleans*, destroying the meaning of the Text. 3. To forbear the practice of all those things which they call Novations, constituted by the consent of the Church, ratified in Parliament, and commanded by the King, which is directly to swear disobedience both to the King and the Church, and consequently to God also. 4. To reject the present Government of the Church established by the Kings authoritie, consent of the Church in divers generall Assemblies, and of the whole estates in Parliament: finally, to suppress one of the three estates of Parliament, thereby destroying the fundamentall Laws of the Kingdome.

Fourthly, the end of the first Covenant was to maintaine peace and concord both in Church and Commonwealth (which was many wayes disturbed in those times) and defence of the Kingdome from externall Invasions and inward Seditions, which were upon too evident grounds then feared: but in this their Covenant the chief intended end was to disturbe the peace both in the Church and Kingdome, by stirring up seditious factions therein against the King and his Loyall Subjects, that in those troubles (as fishing in troubled waters) they might work their own particular ends: and not to exclude externall invasions, but rather to open a gate for strangers to enter, and if their secret practices with the King of *France*, and the Estates of *Holland* could have prevailed (as they were confident they should) to have brought in forraigne forces within the bowells of the Kingdome; But praised be God, those Estates were wiser than so, as to assist Subjects in their unjust Rebellion against their naturall Prince.

Finally, we must not omit their foolish and vaine boasting here, and in their other pamphlets often repeated *usq;* *ad Nauseam*, that their Rebellious Covenant hath been by the Lord blessed from Heaven; they conceive so, because of the great applaus it hath had amongst themselves, and the prosperous success they have found in their enterprizes

terprizes against the Kings Castles, in putting their Armies to the field, and harining the Kings loyall Subjects without present damage to themselves : but let not him that putteth on his Armour boast himself, as he that putteth it off; *Chore, Dathan* and *Abiram* had good successe at the first, and drew after them in their Rebellious Covenant two hundred and fiftie Princes of the Assemblie, famous in the Congregation, and men of Renoune, as it is written, *Numb. 16. 2.* And a great many of the people against *Moses* and *Aaron*, the Prince of the people, and the high Priest of the Lord whom God had set over them; So that *Moses* being greatly astonied, fell down most abjectly upon his face before them, and could not know how to repress that Sedition, except the Lord had comforted and directed him: these men might have thought as our Covenanters doe, that the Lord had blessed their enterprize from Heaven; yet ere it was long they found Gods just Iudgement and Curse both from Heaven and Earth, for the Earth swallowed up some of them quick, and others were destroyed by fire from Heaven: Let all Seditious Rebels therefore learne by this example to repent in time, and not to boast too confidently of their present successe, but fear the end.

The fourth and last Consideration is, because his Majesties Commissioners and Councell, by the Kings Commandment, and others of his Subjects by ordinance of the Councell, had subscribed the Confession of Faith without their Applications; and that both the one & the other Subscribers had done it according to the date, tenor and meaning it had *An. 1581.* there, for they considered that it was expedient and proper for the generall Assemblie to declare the true meaning thereof, as it was at first professed, to the end that all his Majesties Subjects may be one mind and heart, and have full satisfaction to all their doubts.

Concerning this Consideration, we must observe that howsoever the subscribers of that rebellious Covenant did understand the Confession of Faith, yet those who
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did subscribe the Kings Covenant at his Majesties command, both first and last, could not lawfully swear to it in any other sence than the King who required the oath did understand the same; for this is most certaine, *That all oaths required by a magistrate should be taken in the direct and explained meaning of him who required the oath:* But it is evident that his Majestie declared himself plainly enough, that he did not require his Councill, nor his other subjects, to swear this Confession in such meaning as therby either Episcopacy, or the other established Constitutions of the Church should be abjured; for otherwise, it had been a deluding of his Majesties Command by a Jesuiticall equivocation, who teach their Supposits that Axiom, *Unto dangerous interrogatories one may frame to himself a safe sence, and swear thereto, though it be contrary to the meaning of him who required the Oath.* Therefore I cannot conceive, that those judicious and discreet Noblemen would practise Jesuiticall tricks to elude his Majesties Command, in swearing that Confession and Covenant in another sence than they knew his Majestie intended.

2. Albeit, that in their subscribing and swearing they had all added expressly that restriction, *According to the meaning it had Anno 1581.* yet will it not follow that they had any doubt of the true meaning, for we must presuppose that all the Kings loyall Subjects did conceive, that that Covenant was no otherwise understood at that time by King James of happy memory, than it is now by King Charles; to wit, in such a sence as might stand with Episcopacie, neither could it be otherwise understood as we shall declare more fully hereafter: and therefore, those needed not this Act of Assemblies to resolve them of their doubt in this point; and certainly, this Assembly hath casten more doubts and scruples in the hearts of men, than ever they shall be able to resolve, untill it shall be declared Null, as indeed it is already really null in it self. It were an infinit labour to examine all the falshoods of these Considerations, since there is scarce a line or a sen-

tence therein, which doth not containe divers falshoods; yet those which we have remarked are sufficient to declare how un firme those considerations are to ground thereupon a Necessitie of concluding this Act.

CHAP. IIII.

Containing the state of the Question concerning Episcopacie, as it is here condemned.

HAVING already discussed the falshood and impertinencie of those foure considerations, laid down for grounds in their preface to the Act; we must now come to discusse the Act it self: But first of all, before we enter to the reasons *pro* or *contra*, the state of the Controversie must be first set down, for there is nothing more requisite to the clear deciding of any Controversie, than the right stating of the Question; but chiefly in these Controversies which are to be determined by voyces or suffrages in a grave Assemblie of the Church, wherein every one ought to give his voyce, not according to the example or injunction of other men, but according to a certaine knowledge and conscience before God: therefore the Question must be cleer without ambiguitie, either in the matter, or in the words and phrases; It is a trick of Sophisters to propose a Question or determine it in obscure and ambiguous termes, which may be drawn to contrary senses; all such Questions ought to be plaine, clear and simple, and such as one may easily conceive, and answer thereto directly and Categorically.

But in this Act of the Assemblie the proposition of the Question is set down, in such ambiguous words and intricate phrases, that one can hardly either understand the meaning, or give a direct answer: And albeit the proposition of the Question be set down in the end of the Act after all the Reasons, yet we must consider it in the
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beginning, to the end we may try how pertinently or impertinently the reasons alleaged, doe conclude the determination of the Assemblie: It is proposed therefore by the Moderator in these words, *Whether according to the Confession of Faith, as it was professed in the year 1580. 1581. and 1590. there be any other Bishop, but a Pastor of a particular flock, having no preheminence nor power over his Brethren; and whether by that Confession, as it was then professed, all other Episcopacie is abjured, and ought to be removed out of this Kirk.*

First, this proposition of the Question is altogether captious, including a Sophisme *a multis interrogatis*: for there are three severall Questions expressly included therein, which are so different in Nature, that one cannot possibly answer to all in one manner, 1. *Whether according to the Confession of faith, as it was professed in the year 1580. 1581. & 1590. there be any other Bishop, but a Pastor of a particular flock, having no preheminence nor power over his Brethren*: to this, the voycers according to the meaning of the Covenanters behoved to answer *negatively*, that there was no other Bishop. 2. *Whether by that Confession, as it was then professed, all other Episcopacie is abjured*: Certainly all Covenanters keeping their own grounds behoved to answer to this *affirmatively*, that all other was abjured. 3. *Whether all other Episcopacie behoved to be removed out of this Kirk*. To this Question also they could not answer but *affirmatively*.

Is it not then evident? that such a question as this could not be put to voycing, except by those who had a mind to intangle simple men by a Sophysticall proposition; for in all matters which are to be determined by voyces, the question ought to be so proposed, as the voycers may answer by a simple affirmation, or by a simple negation, and as it is called in the Schools *Categorica*; otherwise, there behoved to be a strange confusion in distinguishing the voices. But to this Question as it was

proposed, no one Categorical answer could be given by any, but they behoved of necessitie to answer *negative* to one part, and *affirmative* to another. I have known the Moderator to have been a quick and solid Logician, and I should marvell what could make him oversee himself so grossly in such a weightie busines against all true Logick, if I did not know that passions and affections will often miscarry wise and learned men into great absurdities: or, that perhaps the Question was so framed at the tables of the Covenant, and appointed to be thus proposed at the Assembly; therefore he could not alter nor change the forme, because of his Oath of obedience to them as his Superiors, although he knew it was against all Logick and good reason.

But lest they should object, that if the Questions though many in number, have such a necessary and essentiall coherence together, that the one being granted, the rest must be necessarily granted also, or that upon the Negative of the one, the affirmative of the other dependeth by necessary consequence; then it is not captious, but one answer may suffice for all. To this we answer, that these Questions have no such necessary Cohesion together, for although the answer of the first were granted to be true, yet the answer to the second may be false, & albeit the second be granted, the third may be false: or first, although it were granted that by the Confession of Faith, there were no other Bishops but such as were Pastors over a particular flock, and had no preheminance over their Brethren; yet is it not necessary to grant, that all others were abjured; for albeit there be no other Bishops expressed in the Confession of Faith, yet that will not exclude all others that are not expressed, yea even in divine Scripture; although in matters necessary to Salvation, *Argumentum negativum à Scriptura* be good and valid, it is not written, *Ergo* it is not necessary to Salvation; yet is it not so in all other particulars, not necessarie to Salvation, it is not written *Ergo* it is not; much lesse can such a reason be

be necessarie in humane writs, such as the Confession of Faith is. First, because all humane writs are subject to error, and not infallibly true; then because confessions doe not comprehend every point, which may by any be called in controversie, but those onely which are chiefly controverted with their principall Adversaries: Now this point of the preheminiencie of Bishops, &c. was not a point controverted, betwixt the reformers of Religion who set down the Confession, and their Adversaries the Papists; And therefore needed not to be mentioned in the Confession, and by consequent, albeit there was no such Bishops according to the Confession; yet it is not necessary that they should be abjured. Then there is a little coherence betwixt the last two questions, for although it had been abjured at that time, yet will it not follow necessarily, that it be now removed out of the Church for two reasons; first, because then it might have been abjured wrongfully and out of Ignorance, but afterwards men comming to better and sounder knowledge, that which rashly hath been abjured before, may be lawfully restored now. Next, because if there had been a Law and Constitution against it, for certaine reasons of not expedience, the Church might have abjured it for that time; yet that Law being abrogated by lawfull Authority, it may be received againe by the Church: for it is holden as granted by all, that Oaths given to humane positive Laws, either Civill or Ecclesiastick, obliges no longer than the Law stands in force; Now therefore since the Law forbidding preheminiencie of one Pastor over others (if any such Law was) being now abrogated, and the contrarie established, this preheminiencie ought not to be removed now, though formerly abjured.

Secondly, There is great Ambiguities in the termes of the proposition themselves, yea, almost every word hath its own Ambiguitie: for 1. the word *Confession* is ambiguous, for although there be two writs which by some are called Confessions, yet there is one onely proper and perfect

perfect profession of Faith of the Church of *Scotland*, neither ought there to be any more in one Church; to wit that large Confession set down at the beginning of the reformation, wherein is contained all the positive Doctrine maintained by that Church, which was acknowledged & received in the general Assembly, *An. 1560.* and ratified by the whole body of the kingdom in Parliament, 1567. and inserted *verbatim* in the body of the Act: that other which is called the negative Confession is only an Appendix of the former, containing an abjuration of certaine speciall Errors of the Romane Church, so it is doubtfull which of those Confessions is here understood.

2. There is likewise an Ambiguity in that word, *According to the Confession*; because it may be understood diversely, for either it implies that it is expressly contained therein, and so it is properly according to the same; or otherwise it may signifie onely that it is not contrary thereunto, though not particularly expressed: now Episcopacie in the first sense perhaps is not according to the Confession, because it is not expressly mentioned therein, which is no absurditie as we have shown before; yet is it according to it in the second sense, because not contrary thereunto.

3. There is ambiguity in the words (*As it is professed Anno 1580. &c.*) For either it must be signified as it was then proposed in writ or print, and so certainly it was no otherwise professed at that time than it was from the beginning, and is now at this present; but hath been ever conserved unaltered, or uncorrupted in the Registers of the Church and Kingdome, so that the particular restriction to those years 1580. 1581. 1590. is needlesse and superfluous: or by (*Profession*) is signified the sense or interpretation thereof, as it was understood and interpreted *An. 1580.* and thus also that restriction of the profession to those years, is no lesse superfluous; for it could not be, or at least ought not to have been by any otherwise interpreted in these years, or now, then it was understood at the beginning by those who set it down,

down, for (as we say) *unusquisque est optimus suorum verborum interpret*, and the first Reformers, who framed that Confession, did interpret it in the first book of Discipline, and Acts of divers Assemblies thereafter, so as it did approve the power of one Pastor over others : Therefore, if any did interpret it in a contrary sense, they wronged greatly the worthy Reformers of the Religion, and we are not now obliged to imitate them in their wrongfull dealing. 4. There is Ambiguities likewise in the word (*Bishop*) which sometimes is taken in a generall sense, as it is attributed to every Pastor in the Church who hath power to oversee the actions of the people in Spirituall affaires : sometimes more particularly, as it signifieth those that have Iurisdiction both over moe pastors and people of a certaine bounds called a *Diocese*, as it hath been taken in all Churches since the Apostles dayes, untill this former age, but because this is discussed in the Question it self I speak no more of it.

Finally, there is Ambiguities in those words (*A particular flock*,) for a *Diocese* is the particular flock of a Bishop, as well as a *Parish* is the particular flock of a Minister : many more Ambiguities might be remarked in the words of this Question, which for briefnes we omit here, but shall be (God willing) discussed as occasion serves in the subsequest discourse.

Thirdly, it is also subtle Sophysticall dealing, that they have drawn the Question *à Thèse ad Hypothesin* ; they doe not aske whether Episcopacie be lawfull in it self or not, but whether it should be retained or removed, in regard of the Confession of Faith, and of the Covenant, and that only as the Confession was understood *An. 1580. 1581. & 1590.* involving the Question in divers intricate suppositions, which they have done subtilly for their own ends : first, because they were not able to bring any solid testimony of Scripture, or approved Fathers, or practice of true antiquitie, to prove the unlawfulness of that office ; and therefore, neither in this Act, nor in any other Act of

this Assembly is there one syllable produced out of Gods Word to approve their conclusions, but all their proofes are from their Negative Confession of Faith, impudently wrested from the true meaning thereof, from the Oath of the Covenant strangely mis-applied, and from certaine Acts of late Generall Assemblies; which all at the best are but humane testimonies, and such manner of proofes is not consonant to their ordinary exclamations against humane ordinances and Traditions of men, continually pretending to all their speeches and actions, Gods Word, and Conscience which only is to be grounded thereupon. 2. They have framed the Question so, restricting the meaning of the Confession to the year 1580. &c. because it is evident that from the reformation untill that time, they could not alleage any Act of Assembly or Book of Discipline, shewing that the Church had any such intention as absolutely to condemne Episcopacie: but by the contrary, the Church had declared both by the first book of Discipline, and Acts of divers Assemblies (as shall be fully made clear) that she did so explaine her meaning in the Confession of Faith concerning the point of Government, as she did approve expressly this power and preheminance, and charge over moe particular flocks condemned by this Act. 3. They framed the question in this manner, to strike a terror of a fearfull perjurie upon the weak Consciences of these who could not discern right - ly either the quality of the Oath or the matter thereof; to make them more plyable to their Rebellionous projects, perswading them, that the swearers themselves and all their posteritie were bound to the observation of that Oath, according to their false interpretation, notwithstanding of any interveening Law or Constitution abolving them from it; and that this fearfull perjurie could never be expiated, except they renewed their Oath to that Covenant, together with their false Applications and perverse interpretations, farre different, yea flat contrary to their meaning who framed the Confession of Faith

Faith and enjoined the Oath, which as we shall shew, is but an Imaginarie fear.

It had been more plaine dealing, and fitter to have removed all doubts, if they had proposed the Question more simply, and in more perspicuous termes, asking, *Whether the Office of a Bishop be lawfull in it self or not*; for, if it had been solidly proven by Gods Word to be unlawfull, then it had been evident also, that the Oath whereby it was abjured, was lawfull; and no man could have doubted but that Oath did bind, both the Actuall swearers and all their posterity to the observation thereof: but if it had been found by cleer Scripture that the Office of a Bishop had been lawfull, then no man could have doubted but the Oath whereby they did abjure it was unlawfull; and therefore, that no man was bound to the observation thereof, but by the contrary, all were bound in Conscience to break such an Oath: or, if it had been found of middle nature, neither simply unlawfull, nor necessarily lawfull at all times, but a thing indifferent, in the power of the Church and Supreme Magistrate, to make a Law either establishing or abolishing the same, who might also require an Oath of all to observe that Law: then certainly, no man could have doubted but that so long as that positive Law stood in force, that Oath did bind all Subjects to the observation of it; as likewise that the Law being abolished by lawfull Authoritie, no man was further bound, but was *ipso facto* absolved from the Oath. So the Question being propounded in this manner, and resolved any other wayes it had cleared all doubts and moved all to be of *One mind and one heart*; but being propounded in their manner, no resolution did take away all doubts (as they promised to doe by this Act) but rather did multiplie them and make them greater: For albeit it had been cleared, that Episcopacie had been abjured by the Oath of the Covenant (which notwithstanding is not done) yet a greater doubt remained, whether that Abjuration was lawfull or not; which could not be resolved

ved except it had been first made manifest, that Episcopacie was unlawfull in it self by Gods Word.

Yet that we may follow them in their own method, and reason upon their own grounds, we shall leave at this time the probations which may be brought for the office of a Bishop from Gods Word, and practice of the Primitive Church, which hath been sufficiently performed by divers learned Divines, to the which the best of that Sect could never sufficiently answer. Taking then the Question as it is set downe by them, there are two points which they onely here condemne in that office; first, that they have charge over moe Parishes than one, secondly, that they have power and preheminencie over their Brethren, we shall make it therefore evident, 1. That by the Confession of Faith, Books of Discipline, Acts of Generall Assemblies, and long continued practice of the Church of *Scotland* at the reformation and many yeeres after, this preheminence and power of one Pastor over others, and charge over moe parishes than one, hath been acknowledged to be lawfull. Secondly, we shall shew that none of those passages brought by them, at length in the Act it self, (which doubtlesse were the strongest they could find) forth of the abjuration in the Covenant, books of Discipline, and Acts of former generall assemblies, doe prove their conclusion; but that all of them are either falsely or impertinently cited, farre by, or contrary to the meaning of the Authors, and therefore that all of them are Sophistically alleaged.

CHAP. V.

That this prebeminence and power of Bishops here questioned is conforme to the true Confession of Faith of the Church of Scotland, to the first Book of Discipline and the long continued practice of the Church.

First, we must observe that there are two Confessions of Faith so called in the Church of Scotland, as we have remarked before, to wit, that large Confession, established at the first reformation, framed by *John Knox*, and other faithfull Ministers Anno 1560. Confirmed by divers generall Assemblies, received by the whole body of the Kingdome, ratified by Act of Parliament 1567. and inserted in the body of the Act, which is the only proper Confession of the Church of Scotland, containing all the positive grounds of the Reformed Religion, especially in matters of Faith, controverted betwixt us and the Papists, and other Hereticks; the other called commonly the Negative Confession, which is not properly a perfect Confession, but an Appendix of the former, framed not by any Ordinance of the Assemblie of the Church, but by the appointment of the Kings Majestie and Councell; first sworn and subscribed by the Kings Majestie himself and his household, then by an Act of Councell dated the 5. of March 1580. It was ordained that all persons within the Kingdome should swear the same; and for more commodious doing thereof, it was presented by his Majesties Commissioners to the Assemblie holden at *Glasgow*, 1581. that they might approve it, and injoyne every Minister to see the Oath taken by all their Parishioners, and it did containe an abjuration of most speciall grosse errors of Poperie: the same abjuration was againe commanded by the King to be renewed in the year 1590. (when as that Conspiracie of

some Papists trafficking with the King of *Spain* was discovered) having annexed thereto a generall band or Covenant, whereby all the Subjects bindes themselves with the Kings Majestie for maintenance of true Religion, according to the Confession of Faith set down at the first reformation, and for the defence of the Kings Majesties person, Authoritie and estate, against all Enemies within and without the Kingdome; to the end that true professors, and his Majesties loyall Subjects might more easily be discerned from hypocriticall Papists and seditious Rebels.

Now as for that onely perfect Confession there is no clause nor Article therein, which either exprelly, or by any probable consequence condemneth this power and preheminencie here controverted: neither have they been so bold, as to allege any passage out of the same; nor was it the meaning of those godly and learned persons who set it down, and proposed it to be received by the Church and Kingdome of *Scotland*; nor the meaning of the Church and Kingdome who accepted and approved the same, as the true Doctrine proved by Gods Word, thereby to condemne any such thing: yea, it is most evident that they had a quite contrary meaning, as they themselves did publikly declare in the first book of Discipline, shewing therein what manner of Government and Policie they doe require in the true reformed Church; to wit, that it should be governed by *Superintendents* in every Province, having power and preheminence over all the Ministers and all the Parishes within their bounds: for this book of Discipline was framed by the same persons who set down that confession of Faith, and at the same very time or shortly thereafter; and that by the command and direction of the great Councell of *Scotland*, admitted to the Government, by common consent of the whole estates, in the Queens absence, (being for the time in *France*) and ratified by Act of Councell, and manuell subscriptions of the Counsellors, and of divers other
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men of worth the 17. of January 1560. approved by many generall Assemblies, and the continuall practice of the Church for twice as many years thereafter, as Presbyteriall Government remained in force.

Then that we may see how farre this power of Superintendents did extend, we must consider that the first Reformers of Religion, (because of the detestable enormities of Papisticall Bishops, which made their persons, offices, and very names to be detested) out of a certaine zealous scrupulositie, would not at first give the title of Bishops to the rulers of the Church; yet nevertheless by the example of many other reformed Churches, gave to those who were appointed to their charge a title of the same signification, calling them (*Superintendents*;) So changing a proper Greek word into a barbarous Latine, for the Greek word ἐπισκοπος, and the Latine word *Superintendens* doe both signifie one thing; to wit, such a one as is set over others to oversee their actions.

Albeit by this book of Discipline, the whole Kingdome was divided in ten Dioceses, (expressly so called) and over every Diocese a Superintendent appointed to be set; yet in all the books of Assemblies we find onely foure who carried expressly this title, to wit, *Mr. John Spotswood* (father to the late deceased *John* Archbishop of *St. Andrews*) called Superintendent of *Louthran*, or *Edinburgh*; *John Areskin* of *Dinna* Superintendent of *Angus* and *Mearnes*, or of *Brechin*; *Mr. John Wantram* Superintendent of *Fyfe* or *S. Andrews*; *Mr. John Widdocks* Superintendent of the *West* or *Glasgow*: those who were set over the rest of the Dioceses were called *Commissioners*, either because at that time they could not find so many sufficient men, or for lack of sufficient meanes to maintaine the estate of Superintendents, or as some rather thinke, because they esteemed this too absolute a Title, and none in signification to the title of *Bishop*; therefore they thought it more fit to call them *Commissioners*, as importing more a dependencie upon the generall Assemblies of the Church,

from

from which they received Commission to exerce their charge, not for any definite time, but *ad vitam* or *ad culpam*. Those same are at sometimes called *Visitores* by a word of the like signification with *Episcopus*, for επισκοπος signifieth likewise a Visitor, and επισκοπη Visitation, as 1 *Pet.* 2. 12. *ἡ ἡμετέρα επισκοπή* is translated by all interpreters in *die visitationis*, and so the Hebrew word *re* from the known word *re visitavit* by the Septuagint is translated επισκοπος, and by Latines *Inspector*, *Visitor* or *Profectus*: Howsoever they were diversly named they had all a like power and Jurisdiction, which was no lesse then in the Church of *Scotland*, than the power which the Bishops had in the ancient Church; or in the Church of *Scotland* these many yeers by-gone, as may appeare by this paralell, betwixt the power of Bishops and the power of Superintendents.

A Paralell betwixt the power of Bishops and the power of Superintendents.

First, as every Bishop hath his own Diocese, over the which he hath Superioritie and Jurisdiction, and therein a speciall Citie, for his sea and place of Residence, called the *Metropolitan* or *Cathedral* Citie. So every Superintendent by the first book of Discipline *Cap. 5. Art. 2.* is appointed to him his own Diocese, to have Ecclesiasticall power over all persons both pastors and people within that bounds, and therein a certaine place of ordinary residence, called there the *Superintendents towne*; which for the most part were the same Cities, from which the Bishops of *Scotland* are now denominated.

Secondly, As all the Clergie in every Diocese are bound to give Canonically obedience to their ordinary Bishop, according to the Canons of the Church. Right so by a speciall Act of the Generall Assembly at *Edinburgh*, July

30. 1562. *It is concluded by the whole ministers there Assembled, that all Ministers shall be Subject to their Superintendents in all lawfull Admonitions, and be prescribed as well in the book of Discipline, as in the Act of Election of Superintendents; which is no other obedience but Canonically obedience.*

Thirdly, As all Bishops are to be constant members of Generall or Nationall Councils, as they have been in all ages, and needed not any speciall Commission thereto, from the time that they were first elected and consecrated to that office. So likewise in all Generall Assemblies Superintendents and Commissioners of Provinces were constant principall members of the Generall Assemblies, and needed not any particular Commission thereto, but being once admitted to the office, were ever acknowledged thereafter, and received without any other Commission; as is evident by that Assemblie at *Edinburgh* July 1568. wherein the members of the Generall Assemblie are divided in two Ranks, some are appointed to be ordinary and perpetuall members, as *Superintendents* and *Commissioners of Provinces*; the other sort are mutable, as *Commissioners of Churches, Universities, Townes, and Provinces*; the first had no need of particular Commission, but were perpetuall and first called in the Roll, the other were changeable from Assemblie to Assemblie, and had new particular Commissions from those by whom they were directed. In the Assemblie at *Edinburgh* 1563. that every Superintendent shall appear the first day of the Assemblie: at *Edinburgh* March 1578. the same Act is renewed, and Bishops also are appointed to be present at all Assemblies, or else to be accounted unworthy of the office, and by divers other Acts: yea, after that the office of Bishops began to be questioned in the Assemblie 1579. July 7. Sect. 9. It is ordained *That Bishops and Commissioners of Provinces who absent themselves from Generall Assemblies shall be censured according to the Act, August 12. 1575. and that Act to be understood not onely of*

Bishops having power of Visitation from the Church, but also of such as have not that office.

Fourthly, As all Bishops have power to hold their Synods twice in the year, when and where it shall please them within their own Diocese, and there all the Clergie of the Diocese are bound to convene, and all matters which concerne the Diocese are therein to be determined by the Bishop. So likewise albeit that in the first book of Discipline, there is no mention of Synodall or Provinciaall Assemblies: yet after by Acts of Generall Assemblies, it is appointed that every Superintendent and Commissioner shall hold Synods in their own bounds, wherein all matters pertaining particularly to their own Diocese or Province shall be determined, as appeares by the Assembly at Edinburgh March 5. 1570. wherein these two Acts are set downe: first, *It is ordained that offenders in heinous crimes shall not appear before the generall Assembly, but shall be called before the Superintendents, and Commissioners of Provinces to appear before them in their Synodall Conventions, and there to receive their injunctions, conforme to the order used before in Generall Assemblies.* Item, *It is ordained that all Questions concerning the Province shall be propounded first to the Superintendent or Commissioner, to receive resolution in their Synodall conventions; and if they be difficile, to be propounded to the next generall Assembly by the Superintendent or Commissioner; with certification that no Question shall be received hereafter from any private Minister.* So likewise in the Assembly at Edinburgh 1568. *It is ordained that no Minister exhort or reade, or other person shall trouble the Generall Assembly with such matters as Superintendents may and ought to decide in their Synods; And if they doe so their Letters shall be rejected.*

Fifthly, As no Pastor ought to have place in Nationall Assemblies, except such as are authorized thereunto by their Ordinarie Bishop, according to the custome of the ancient Church: Although our Bishops in Scotland,
since

since they were re-established, did never usurpe this power to themselves, but left the Election of the Commissioner in the power of the Brethren of the Presbyterie: So likewise it was ordained in the Assemblie at Edinburgh 1568. *That no Minister should have voyce in Generall Assemblies, nor leave their flocks to attend thereat, unless they be chosen by their Superintendent, as men known able to reason, and of knowledge to judge in matters of weights.* The same likewise we see testified to have been the Custom of the Church of Scotland, by a Letter written by the Lord Glames then Chancellor of Scotland unto Beza, about the year 1575. when Episcopacie began to be quarrelled, wherein *Quest. 2.* he saith, *Post reformatam Religionem consuetudine receptum est, ut Episcopi (under which word he comprehendeth the Superintendents) & ex Ministris, Pastoribus, ac Senioribus, tot, quot vidum Episcopi jusserint, unum in locum conveniant, cum principibus Barronibus, ac Nobilibus, Religionem veram professantibus, & de doctrina & de moribus inquisituri.*

Sixtly, As all the presentation of Benefices vacant were to be directed to the Bishop of the Diocese where the Benefice lyes; so that if the person presented be found qualified, he may enjoy the same. So is it appointed at the Assembly holden at St. Johnstone June 1563. *That when any Benefice shall chance to vaick, or is now vacant, that a qualified person be presented to the Superintendent of that Province where the Benefice lyes, and that he being found sufficient, be admitted Minister to that Kirk, &c.* Likewise in the Assembly at Edinburgh, 1578. (wherein they alleage the second book of Discipline was agreed unto) one of the Petitions of the Assemblie preferred to the King and Councell was, *That all presentations to Benefices may be directed to the Commissioner or Superintendent where the Benefice lyes.*

Seventhly, As the Ordination of Ministers appertaines peculiarly to the Bishop of the Diocese. So likewise the Ordination (which by the stile of Scotland is called *Mission*

mission or Confirmation) not onely of Ministers, but also of Readers, Schoolmasters and Principalls of Colledges, did appertaine to the Superintendents in their owne bounds, as is evident by the fifth Chapter of the book of Discipline, in the Article of Superintendents, and in the Article of Schools and Universities.

Eightly, As Bishops have at all times had power to examine the life, doctrine and behaviour of the Clergie of his own Diocese, and to admonish, correct, or censure them accordingly. So likewise in the same book of Discipline, *Cap. 5.* the Superintendents received power and authoritie to visit the Churches of their bounds, so often as they may, and therein not only to preach, *But also to examine the life, diligence and behaviour of all the Ministers, as likewise the orders of the Kirke, and manners of the people, and to admonish where admonition needeth, and to correct them by the censures of the Kirk, &c.*

Ninthly, As Bishops have power of suspension or deposition of Ministers, who are either scandalous in their lives, or hereticall in their doctrine. So by the book of Discipline, and divers Acts of the Assemblies, that power doth appertaine to Superintendents, Commissioners or Visitors, as is manifest by that place of the book of Discipline, cited by us in the former Article: and by the Assembly holden at *Edinburgh*, April 1576. wherein it is said, *Anent the demand made by Mr. Andrew Hay Parson of Ranthrow, if every Commissioner or Visitor in his own bounds hath alike power and Jurisdiction to plant Ministers, suspend and depose for reasonable causes: the Assembly resolved affirmative, that they have alike power and Jurisdiction therein, as is contained in the particular Acts concerning the Jurisdiction of Visitors.*

Tenthly, As Bishops, because of their places and great charges in overseeing all the Churches, have greater rents appointed to them than to other Pastors. So likewise by the book of Discipline, *Cap. 5.* in the Article for the provision of Ministers, is appointed almost foure times as
much

much stipend for the Superintendent, as for other private Ministers.

Moreover, it is evident by many Acts of Generall Assemblies, that those Bishops who had joyned themselves to the reformed Church, retaining still the office and title of Bishops, did by approbation of the generall Assemblies, exercise their Jurisdiction over the Ministrie and people of their own Diocese, even from the beginning of the Reformation almost; for in the Assembly at *Edinburgh*, 1582. *Alexander Gordon* Bishop of *Galloway* was authorized to plant Ministers, exhorters and readers, and to doe such other things as has been heretofore accustomed to be done by Superintendents or Commissioners. In the Assembly at *S. Iohnstone*, June 1563. the Bishops of *Orkney* and *Kaithness* are allowed to exercise the same Jurisdiction; and to shew that they did not this by compulsion of Superior Authoritie, but of their own voluntary motion, in that Assembly it is appointed, that a Supplication shall be preferred in name of the whole Assembly to the Queens Majestie, that she would be pleased to remit the thirds of the Bishopricks (which were then in the Queens hands) to the Bishops, who were allowed by the Church to be Commissioners, for planting of Churches within the bounds of their own Diocese: and thereafter *Anno* 1572. All Bishops were by speciall Act of the Generall Assemblie restored to the function, at the desire of the Earle of *Lenox* then Regent of *Scotland*: and the next year in the Assembly at *Edinburgh* 1573. certaine limitations of their power were added, not very strict which no Bishop can refuse; 1. That the Jurisdiction of Bishops in their Ecclesiasticall function, should not exceed the Jurisdiction of the Superintendents, which heretofore they had and presently have; which Jurisdiction, as we have declared, was no lesse than that which the Bishops require now. 2. That they should be willingly subject to the Discipline appointed by the Generall Assemblie as members thereof: This likewise is reasonable, and

no Bishop will think himself exempted from the censure of a Nationall Assemblie lawfully constituted, according to the established and approved orders of the Church. 3. *That no Bishops give collation of Benefices within the bounds of Superintendents without their consent and testimoniall subscribed by their hands:* This was also reasonable, for Superintendents were also Bishops, and it is conforme to the ancient Canons of the Church, That no Bishop should give ordination or collation to any within the Diocese of another Bishop without his consent and testimoniall. 4. *That Bishops in their own Diocese visite by themselves, where no Superintendents are:* which indeed is their duty, if they be not impeded either by infirmitie, or by some weightier affaires of the Church. 5. *That they give no collation of Benefices without the advice of three qualified Ministers:* The Bishops of Scotland heretofore did astrict themselves further, for they were not accustomed to give collation of Benefices (except it were to men of known worth in the exercise of the ministry before) without the advice of the whole Brethren of the Exercise in the bounds where the Benefice lyes, committing the whole triall both of their life and doctrine to them, and according to their Testificate did accept or reject him who was presented.

By this then which we have truly related out of the book of Discipline, and Acts of Generall Assemblies of the Church, it is manifest, that the true Confession of faith, as it was professed at the Reformation, and many yeers thereafter, had no such meaning as condemne or abjure the power and preheminance of *One Pastour over others, or over more particular flocks than one:* But on the contrary did approve the same, as it is explained (concerning the point of Government) by the book of Discipline and practice of the Church, under the title of *Superintendent* untill the year 1590. and under the title of *Bishop* untill the year 1580. for untill those years neither the one nor the

the other were abrogated by the Assembly of the Church, the first Act condemning that Jurisdiction under the title of Bishops was in that Assembly at *Dundie* 1580. and the first Act abolishing the office and title of *Superintendents* was in that Assembly at *Edinburgh*, August 1590. wherein it is declared that *since Presbyteries were fully established, that Superintendents and Commissioners were neither necessarie nor expedient*. What regard should be had to those Acts we shall shew hereafter.

Is it not therefore too impudent and manifest a calumnie, and a scandalous imputation laid by our Covenanters upon the worthy reformers of the Church of *Scotland*; and those who did prosecute the same for many years, that their meaning in the Confession of Faith was to condemn that as unlawfull, which they did approve by their plaine and publike declaration and continuall practice? As it is also a subtile and hypocriticall dissimulation of the Ring-leaders of this Rebellion (against the knowledge and conscience of those who knowes the historie of that Church since the Reformation) to professe and perswade people that their upright intentions is to reduce the Church to her former purity wherein she was constituted by the Reformation, and to abolish all Novations, since they are manifestly doing the quite contrary; abolishing violently that order of Government which was established by the Reformation, and establishing in place thereof a most dangerous Novation, never heard of in any Christian Church since the beginning untill this last age, and whereof the Church of *Scotland* never thought of, nor dreamed at the Reformation or many years thereafter; untill it was brought by a violent wind from *Geneva*, bringing therewith great trouble and disturbance to the Church of *Scotland*, and whole Kingdom both first and last.

CHAP. VI.

Shewing that this power and prebeminence of Bishops was not abjured by the Negative Confession or Covenant.

HAVING showne that this power and prebeminence of Bishops was not condemned by the principall and proper Confession of Faith of the Church of Scotland. It followes also, that we shew that it was not condemned by that abjuration in the Covenant called the *Negative Confession*; which by them improperly and *κατάχρηστος* is called a *Confession*: For it is absurd, and almost *repugnans in adjecto*, to say that it should be the Confession of Faith in any Church, which doth not declare any positive point of Doctrine to be beleevd, but consisteth onely of meere Negatives, which are not to be beleevd. It was onely therefore set down as an Appendix of the true Confession, for that end which we declared before: For this is the ordinary manner both of publike Confessions of Churches, and private Confessions of particular persons, first to set down the positive Doctrine in certaine Articles and propositions, which are properly the Confession of Faith; and then by way of Appendix deduced from thence, to adjoyne damning and abjuring of the contrary errors: so we see it done in most of the Confessions of reformed Churches, collected together in that book called *Syntagma Confessionum*. So doth *Beza* in his Confession, and learned *Zanchius* in his: right so we must conceive the matter, that those abjurations of Popish errors set down in the Covenant, are but *Appendices* deduced from the Articles and propositions which comprehend the Confession of Faith: yea, the very words of that Covenant make it cleer and evident, for therein it is first said, *We beleieve with our hearts and confesse with our mouthes, that this is the true Christian*

ſſian Faith and Religion, which is particularly expreſſed in the Confefſion of our Faith, eſtabliſhed and confirmed by divers Acts of Parliament, &c. To the which Confefſion and forme of Religion we agree in all points, &c. In theſe words is the propoſition and ſumme of the Confefſion, the Appendix followeth thereafter in theſe words, *And therefore we abhorre and deteſt all contrary Doctrines and Religion, but chiefly Popiſtrie and particular heads thereof, &c.* whereby it is evident, that it is onely the proper ancient Confefſion of Faith ſet down at the Reformation, whereunto they did directly ſwear in that Covenant; but unto the abjuration of errors they did onely ſwear indirectly, and by conſequent, as they were contrary to the doctrine contained in the Confefſion of Faith.

From this then that we have ſhown to be true, we may bring a forcible argument to prove, that by this abjuration the power and preheminance of Biſhops is not abjured: For this abjuration being but an Appendix deduced by neceſſary conſequence, it could not of it ſelf have another meaning, or at leaſt not a contrary ſenſe to that Confefſion whereupon it depends; but ſo it is that the meaning of the Confefſion of Faith, as it was explained by the Church, was no other, but that it was lawfull for one Paſtor to have this power & preheminance over others, &c. Therefore the abjuration could not have a contrary meaning, to wit, that this power and preheminance was unlawfull in it ſelf. The aſſumption of this argument is already ſufficiently qualified in the former Chapter by the book of Diſcipline, Acts of divers generall Aſſemblies, and long continued practice of the Church. The propoſition is evident in it ſelf, for it is an abſurd thing to ſay, that an Appendix ſhould have a contrary ſenſe to the principall propoſition, from whence it is deduced by neceſſary conſequence: all good Logicians know this, of which number to my knowledge the Moderator is one, who hath in his time compoſed many accurate propoſitions with their Appendices; and would not have ſuffered

tered one of his Schollers with patience to set down their *Thesis* with so evill knit consequences, as they would make us beleewe, is betwixt the Confession of Faith, and the Abjuration of the Covenant depending thereupon. I can finde no reason why he and other learned men of that Assemblie should be so farre misled against all true Logick and sound reason; except it be (as appears) that they have captivated their understanding to the Tables of the Covenant, that for obedience thereto they have forgot all rules of Logick, to advance *per fas & nefas* their Idoll of Presbyteriall Government.

But our Covenanters objects, that albeit the Confession of Faith might have been understood so by those who have set it down, and so interpreted by the Church for a long time, as that thereby this power and prehemency was not condemned; yet the Generall Assembly of the Church (to whom it appertaines to interpret the Confession of Faith) might understand and interpret it otherwise, as it did in that Assembly at *Dundie* 1580. wherein Episcopacie was condemned, and now in this Assembly at *Glasgow*, 1639.

To this we answer first, It is possible indeed, that men might understand it otherwise then it was understood at the beginning, yea in a contrary sense as the Covenanters doe interpret it now: But the Question is, whether both those contrary senses can be the true meaning of the Confession; I hope they will not judge so, except they would make the Confession of Faith like a nose of wax, (as some blasphemous Papists speak of the Scripture) or that they would make the Confession (which ought to be a firme and constant rule, to try the doctrine of all within the Church) like a *Lesbian rule*, which may be applied both to crooked and straight lines, or to contrary and contradictory senses. Then if it be so, it may be asked which of those is the true meaning? Certainly, there is no reasonable man but will esteeme that to be the true meaning which is intended and expressed by the author thereof;

thereof; For as we say, *Unusquisque est suorum verborum optimus interpres*, except such a one as speaketh non-sense: but so it is, that they that framed the Confession of the Church of Scotland, and the Church who received the same, did declare their meaning therein to be such, as that thereby this power and preheminencie was not damned, but directly approved; Therefore that contrary meaning which they ascribe to the Church in the year 1580. 1581. 1590. must needs be false.

Secondly, This Covenant and abjuration therein was neither framed by the Authoritie of the Church or generall Assembly, nor was the Oath required by their Authoritie: but both was done by the Authoritie of the King and Councell, at whose direction this Covenant and abjuration was framed, and the Oath and subscription thereto required of all his Subjects by his Commandment; therefore it appertaineth onely to his Majestie and Councell to declare the meaning thereof, and in what sense he did require the Oath of all his Subjects: For this is a most true *Axiom* agreed unto by all orthodox writers, *That all Oathes required by a Magistrate should be taken according to the direct and plaine meaning of him who requireth the same*: But it is most manifest that neither the King nor Councell did require that oath in such a sense, as thereby Episcopacie should be condemned; for he and his Councell did plainly declare before that time, at that same very time, and many times afterward, that his expresse meaning, purpose, and constant intention was, to continue the estate and office of a Bishop in the Church of Scotland, and to withstand all motions tending to the overthrow thereof, as we shall shew more particularly. For first, that this abjuration was set forth by the King and Councels appointment, and that by his Authoritie onely the Oath was required, is manifest both by that Act of Councell, *March 5. 1580.* which they have prefixed before their Rebellionous Covenant pressing thereby to make people believe, that it was authorized

by the King: as likewise by the Acts of Assembly cited here by themselves, wherein is declared, *That the Kings Commissioner presented to the Assembly in April 1581. the Confession of Faith subscribed by the King and his household not long before*, and in that Act approving this Confession cited here by them it is expressly acknowledged that it was set forth by the Kings Majestie. Next that it was to be understood according to the Kings Majesties meaning, appeareth also by the same Act where it is said, *That it should be followed out efoldly, as the same is laid out in the Kings Proclamation*, for that word *Efoldly* signifieth, that they should follow not onely the words, but likewise the sense and meaning which was intended in his Majesties proclamation, not in a twofold sense, as if the Assemblie would intend one sense and the King another, but simply and sincerely by all in the same words and meaning which his Majestie did expresse in his Proclamation. Thirdly, that his Majestie did not intend, that it should be sworn and subscribed in such a sense or meaning, as that thereby Episcopacie should be condemned, is also most manifest. 1. By his Majestie and Councell often rejecting the instant petitions of divers Assemblies, for establishing the second book of Discipline, whereby the power of Bishops is impaired, and absolute paritie of all Pastors established; as they acknowledge themselves by that Act of the Assembly at *Glasgow 1581.* cited here by them, wherein are these words, *Because divers suits have been made to the Magistrate for approbation to the book of Politie, which yet have taken no great effect.* Then because his Majestie both before this time, at this time, and after, did shew evidently that he did approve the office of a Bishop, as he testified by his divers protestations against those Assemblies which pressed to suppress the same, and by his presentation of Bishops to the places, whensoever they hapned to be vacant; as he did at that same very time, present *M. Rob. Montgomery* to the Archbishoprick of *Glasgow*: and by that Act of Parliament 1584. where-
by

by the whole Iurisdiction of Bishops was ratified by his Majestie with consent of the whole estates of the Kingdome.

Seeing then that this Abjuration or Confession (call it as they please) was framed by the Kings Majestie, appointed to be subscribed and sworn by his Authoritie, and that in such a sense, as that thereby Episcopacie was not understood to be abjured; It must be also presupposed, that all those who did swear or subscribe the same, did it in no other sense or meaning, otherwise they did swear falsely, sophistically, and by Equivocation: therefore it must necessarily be concluded, that by that Oath of the Covenant 1580. 1581. 1590. and 1591. Episcopacie, nor the power and preheminance of one pastor over others, or mee particular flocks than one, was not abjured by honest men, who had an efold and upright meaning in taking their Oath. Neither can the interpretation of this Assemblie at *Glasgow* 1639. give any sure warrant to those who hath sworn in a sense contrary to the Kings meaning; for if this Abjuration or Covenant had been the Act of the Church properly, there had been some appearance that a lawfull generall Assembly now might give forth the true interpretation thereof; but since it is the King and Councels Act, and the Oath thereto required of all the Subjects by his Authoritie, it doth not appertaine to the Generall assembly, especially such an unformall and unlawfull one as this, to declare in what sense it should be understood.

So that it is but a false and vaine fear, wherewith they would burden the consciences of all the Kingdome of *Scotland*, as being fearfully perjured, by establishing contrary to the pretended oath of the Covenant, the office of Bishops in *Scotland*, and giving obedience unto them: But on the contrary, they are rather forsworn and perjured, who contrary to the true meaning of their first oath, have by their new rebellious Covenant and ordinance of their Assembly abjured Episcopacie. And of this

no man needeth to doubt, but that all those who have acknowledged Bishops, and have taken their oath of Canonically obedience, and now by perswasion of their Leaders have broken their solemn Oath, in disobeying and contemning their authoritie, and ratifying their disobedience by another Oath, are evidently forsworn, as most of the Ministers of that Assembly have done; Let them in sincerity of mind search their own consciences in this point, and I doubt not, that if it have any life therein, they will finde themselves sensibly pricked thereby.

CHAP. VII.

Wherein is answered to their Argument taken from foure severall sentences of the Abjuration, and particularly to the first.

HAVING now shown that neither by the principall Confession of Faith, nor by the Appendix thereof called Abjuration, nor by the first book of Discipline, nor by any Acts of Assemblies, nor practice of the Church many yeers after the reformation, this power and preheminiency of Bishops here controverted is condemned; it rests that we answer to those Arguments which are brought by them in the body of the Act, to prove the determination of the Assembly, which are neither brought from the Word of God, nor from the testimonie or practice of the primitive Church immediately after the Apostles dayes, nor from any words of the perfect Confession of Faith in the Church of Scotland, but all their Arguments are of a later foundation, and may be in summe reduced to three sorts; first, they bring certaine broken sentences out of the Abjuration in the Covenant, which they call the Confession, then some Acts of their late Generall Assemblies, and thirdly, some passages out of the
second

second book of Discipline to the which we shall answer in their own order.

And first they bring foure severall sentences out of the Abjuration or negative Confession, falsifying and wresting them strangely, as to make them appeare to have some shew of proving their determination: The first passage is in these words, *We professe that we detest all Traditions brought into the Kirk, without, or against the Word of God, and Doctrine of this reformed Kirk.* The second is, *We abhorre and detest all contrary Religion and Doctrine, but chiefly, all kind of Papistry in generall, and particular heads; as they were then damned and confuted by the Word of God, and Kirk of Scotland, when the said Confession was sworn and subscribed, Anno 1580. and 1581. 1590 and 1591.* The third is, *That we detest the Roman Antichrist, his worldly Monarchy and wicked Hierarchie.* The fourth is, *That we joyne our selves to this reformed Kirk, in Doctrine, Faith, Religion and Discipline, promising and swearing by the great name of God, that we shall continue in the Doctrine and Discipline of this Kirk, and defend the same according to our vocation and power.*

We answer first in generall to all these passages, that by none of them is either Episcopall Government abjured, for first in the words themselves, there is no mention either of Bishops or their power and prehemineney over others, or their charge over moe particular flocks, or of Presbyteries of absolute parity of Pastors: Therefore except they have recourse to some secret meaning, these passages can serve nothing to their purposes: and we have shown before both by the meaning of the principall Confession of Faith, whereof this Abjuration is an Appendix, and by the explained meaning of his Majestie by whose appointment this abjuration is framed, and who required the oath and subscription therunto, that it cannot be understood in such a sense as that this power and prehemineney of Bishops should be thereby abjured, and therefore neither the words nor the sense can be able to prove their purpose.

Second-

Secondly, we prove the same by the Confession of the Moderator *M. Alexander Henrison*, and his Associates the Apostles of the Covenant; for they in their Disputes with the Doctors of *Aberdeen* doe confesse plainly, that by swearing this Confession of Faith, Episcopacie was not abjured, and that any man might safely swear that Confession and their Covenant also, without abjuring Episcopacie; and by this profession they enticed many to swear and subscribe their Covenant, who otherwise would not have done it. Now either they spake sincerely at that time according to their knowledge and conscience, and so did flatly contradict this position, *That by swearing the Confession of Faith Episcopacie was abjured*: or else by dissembling policie they did so profess, contrary to their own mind; to serve their own designs in advancing (*per fas & nefas*) their rebellious Covenant; And so did shew themselves Jesuiticall temporizers and time-servers (*En graine*) abusing people most impudently to promote their own ends. Albeit this that we have spoken already may suffice to cleer that Abjuration and Covenant, or any part thereof, of any such meaning as they pretend, yet that the matter may be more evident, we shall examine particularly every one of these foure sentences cited by them, shewing that all of them are either falsely or impertinently alleaged by them to prove such a conclusion.

As to the first sentence here produced, by it we may judge (*tanquam ex ungue Leonem*) what we may expect of the rest of these reverend Fathers citations: they begin with a manifest falshood, and we shall finde hereafter divers more in that kind; the words according to their citation are, *We profess that we detest all Traditions brought into the Kirk, without, or against Gods Word, and Doctrine of this Reformed Kirk*. Whereas in the Covenant it self it is otherwise, for there the words are, *And finally we detest all this* (to wit the Roman Antichrists) *Traditions without or against Gods Word*.

11111,

First, we answer that there is a great difference betwixt *All Traditions absolutely, and the Roman Antichrists traditions*; for albeit we detest as sincerely as they doe all Antichristian traditions, yet doe we not so detest all traditions absolutely, which have not expresse or particular warrant from Gods Word, if they be not repugnant thereto: the Traditions of the Roman Antichrist are those which are invented by him, for upholding his tyrannie over the consciences of men, made equall to Gods word, and intruded upon the Church as parts of Gods worship, those we detest and abhorre from our very heart; but to abjure absolutely all Traditions which are not expressed in Gods Word, it was never the meaning of the reformed Church of *Scotland*, nor of any well reformed Church; for all the ancient Fathers of the Primitive Church, and all Neoterick, Orthodox writers doe teach, that some Apostolicall and Ecclesiasticall traditions are not onely profitable, but also almost necessary to be retained in the Church; Necessary I say, if not *ad esse simpliciter*, yet *ad bene esse*, such as are according to these generall rules of the Apostle, 1 Cor. 14. *According to decency and good order, and tending to Edification*: and such as are according to that rule of S. Austin lib. 4. *contra Donat. cap. 41. Quod universa tenet Ecclesia, nec concilys constitutum semper retentum est, non nisi Apostolica autoritate traditum, relictissime creditur*: of which there are many profitably retained in the Church, both concerning doctrine, manners, government, and circumstances of Gods worship, as the distinction of Canonickall books from *Apo-crypha*, the Constitutions of the Apostolick Creed, the manner of the celebration of Marriage before the Church, the sprinkling of water upon the head of the Child in Baptisme to be sufficient, the gesture of kneeling in the Supper of the Lord, the time and place of the ordinarie Celebration thereof in the morning, and in the Church; and such likewise are the *Appropriating* of the name and title of Bishops, to these Pastors who are set in Authority

over others, and divers Ecclesiasticall Canons concerning the manner of their Government.

Secondly, albeit it had been so that all Traditions had been simply abjured, (which men of understanding would not have done) yet this sentence could not have served to prove their Conclusion; for although some of the points of the office of a Bishop, now appertaining thereto, be by Apostolick tradition or Ecclesiasticall constitution, yet this point here called in Question, that one Pastor may have power and preheminencie over others, or over moe particular flocks, is not a Tradition either against or without Gods Word, and Doctrine of this reformed Church; but first it is a most certaine written veritie approved by Gods Word expressly, and the Constant practice of the Church of God, from the very first Constitution of the visible Church and publik exercise of Gods worship, not only under the old Testament, but under the new also, continued in all Churches untill this last age, which cannot be denied without great impudencie: then it is not against the doctrine of the reformed Church of *Scotland*, but most conformable thereunto, as we have sufficiently declared before; therefore it is manifest, that this passage can prove nothing for their purpose, but is both falsely and impertinently produced by them.

CHAP. VIII.

Wherein is answered the second Passage of the Covenant.

THE second passage cited from the Negative Confession or Abjuration, is no lesse falsified than the former, both in the change of words, and addition of others not contained in the Originall: the words of their citation are, *We abhorre and detest all contrary Religion and*
Doctrine

Doctrine, but chiefly all kind of Popistris in generall, and particular heads, as they were then damned and confuted by the Word of God and Church of Scotland, when the said Confession was sworn and subscribed, Anno 1580. and 1581. 1590. and 1591. But the words in the Originall are only these, As they are now damned and confuted by the Word of God and Kirk of Scotland: So that they change that particule (now) in (then) and adde more which is not in the Originall, When the Confession was sworn and subscribed Anno 1580. & 1581. 1590. & 1591. Albeit this Alteration seemeth but small to change (now) in (then,) yet in effect, it is very matteriall and subtilly made to wrest the meaning of the words to their own purpose, contrary to the intention of those who framed this Abjuration, in making this (Now) relative to the damning of Episcopacie in that Assemblie at Dundie 1580. and others thereafter, albeit it be evident, that there was no such thing intended in the framing of this Abjuration for divers reasons.

First, that (now) in the Kings Covenant, is not to be understood of that present definite time *then*, when the Covenant was framed or subscribed, but as it is expressly expounded a little before, *Now for a long time*, to wit, from that time when the large Confession of Faith was set forth Anno 1560. and approved by the Generall Assembly, and ratified in Parliament 1567. By the which Confession those particular heads of Popistris were condemned and confuted, and the true Doctrine opposit therunto, *Now for a long time openly professed by the King, and whole body of the Kingdome*, as it is expressly set down in the same place of the Covenant: therefore it is manifest that this (Now) is not relative to that Condemnation of Episcopacie 1580. which was not then for a long time condemned, but only for that present year.

Secondly, albeit we should grant that this (Now) was not to be understood of that definite time, yet doth it not serve to prove the point in Controversie; for albeit by

that Assembly 1580. Episcopacie as it was then used in *Scotland* was condemned, yet this power and preheminance, by approbation and practice of the Church of *Scotland*, were standing in force in the persons of Superintendents, Commissioners or Visitors, and not abrogated untill the year 1590. towit, ten years after the setting down, and swearing of this Abjuration: And therefore this power and preheminance, which is the point in controversie, cannot be understood to have been then condemned in the Abjuration 1580. & 1581. for otherwise the Church should have condemned that which in the mean time they did approve and practise.

Thirdly, notwithstanding that Act 1580. condemning Episcopacie, as it was then used in *Scotland*, yet these points of the power and preheminance of one Pastor over others, and charge over moe particular flocks was not condemned, but expressly acknowledged to be lawfull by that whole Assembly, wherein Episcopacie was called in Question Anno 1575. 1576. as shall be evidently cleared when we shall come to discusse the Acts of those Assemblies.

Fourthly, those points of Papistrie in generall, and the particular heads damned and confuted by Gods Word and Kirk of *Scotland*, were only such as were opposite to the doctrine contained in the principall Confession of the Church of *Scotland*, then of a long time professed by the Kings Majestie, and whole body of the Kingdome, as it is expressly set down in the same place of the Covenant: But so it is, that there was no Doctrine contained either in the Confession of Faith, or professed now for a long time by the King and whole body of the Kingdome, contrary to these points of power and preheminance of one Pastor over other Brethren, or moe particular flocks: therefore these are not points of Papistrie abjured by the Covenant, as being damned then by Gods Word, or the Church of *Scotland*, and so this passage doth not more serve to prove their purpose than the former.

CHAP. IX.

Containing an Answer to the third Passage.

THE third Passage is in those words *We detest the Roman Antichrist, his worldly Monarchie and wicked Hierarchie.* In this passage indeed there is no false citation as in the former two; yet is there as great impertinencie in applying it to their purpose: for I cannot see what they can assume upon this proposition to conclude the point in Controversie, except they would say, that all power and preheminence of one Pastor over his Brethren, or over more particular flocks is an Antichristian worldly Monarchie, and all degrees of Ecclesiasticall persons is an Antichristian wicked Hierarchie, and therefore detested and abjured: But if this Assumption were true, then the high priest in Ierusalem constituted by God himself had been an Antichristian Monarch, and the divers degrees of Ecclesiasticall persons distinguished by God himself had been an Antichristian wicked Hierarchie; for it is most certaine, that the High priest had power and preheminence over his Brethren, and charge over all the particular flocks in Iudea. The Apostles likewise in the Christian Church, and their fellow-labourers, *Titus, Timothee*, and others had been Antichristian worldly Monarchs, for it is most certaine, that they had power and preheminence over their Brethren, and charge over more particular flocks; as Bishops have now; which may be qualified by the writings of the Apostles, and the testimony of all the Venerable Fathers of the Primitive Church, who lived either in the dayes of the Apostles, or neer to them. So likewise those Reverend Fathers themselves, as *Polycarpus, Ignatius, Cyprian, Austin, Ambrose, Chrysostome*, &c. should be esteemed no better: yea likewise our Superintendents or Commissioners of Provinces should have been Antichristian worldly Monarchs. So that the worthy Instruments of God in the

reformation of the Church of *Scotland*, must be thought to have (instead of a laudable reformation) brought in an Antichristian worldly Monarchy in the Church of *Scotland*.

But the principall words which they doe most urge is the last clause of this passage, *This wicked Hierarchie*, by which words it was made cleer (as they alleage) in the Assembly that Episcopacie was abjured: what was made cleer in the Assembly we know not, but we shall make it cleer (God willing) to all (whose eyes are not blinded with partiall affection) that those reasons produced in the Act in the end thereof at length (which doubtlesse were the most weightry they could bring) are foolish, childish and ridiculous, unworthy of such men as they would be accounted amongst the people.

But before we enter to discusse their reasons, we must first explaine the word *Hierarchie*, and shew what Hierarchie is here condemned: first, the word *hierarchia* amongst the ancient Grecians was used to signifie a certaine Magistracie, the charge whereof was to have a care of Sacred and Holy things, as of Temples, Altars, and Sacrifices; and from thence was translated by ancient Christian writers to signifie the sacred orders of Rulers in the Church: Now that there is an holy order of Rulers in the Church I think no man can deny, even in Presbyteri- all Government, there are three orders of Ecclesiasticall persons who bear rule in the Church, and have charge of sacred things, of distinct power and authoritie, to wit, Pastors, Elders, and Deacons, and so those orders may be safely called an Ecclesiasticall Hierarchie; they who understand the Greek word, knowes perfectly that it signifies no other thing, but a rule of sacred things, or a holy Government: they cannot deny but these Ecclesiasticall functions have every one their own point of Government, and that about sacred and holy things, why then should they abhorre the word, since they acknowledge the thing signified thereby to be competent to their Ecclesiasticall functions? Is it because the word is bor-

rowed

rowed from Ethnicks ? It should not be abhorred for this cause, more than the words *Episcopus*, *Presbyter*, and *Pastor*, which did signifie also amongst the Ethnicks certaine offices, or magistracies, as is well known to those who are versed in their writings. Or is it because it hath been abused by the Papists ? neither can it for this cause be rejected, taken in a right sense, and separating Papi-sticall corruptions from it, more then the other titles given to Ecclesiasticall officers, which all have been abused in the Popish Church : and that this word *Hierarchy* may be uled to signifie the orders of Ecclesiasticall rulers in the Christian Church, I will bring no other testimony than that of *Calvin*, who was the first Author of Presbyteri-*all* Government, he in his Treatise *De Necessitate reformanda Ecclesia*, speaking of the Popish Hierarchy, saith ; *If they will set us down such an Hierarchie, wherein Bishops have so preheminance, that they refuse not to be subject to Christ, depending from him as from their head, and referring all to him ; wherein they doe so entertaine Societie amongst themselves, that they be no otherwise bound but by his truth : Then I must acknowledge that those are worthy to be called execrable, who will not reverence such an Hierarchie, and with all humble obedience receive the same.* Where we see that *Calvin* doth acknowledge, that there may be a lawfull Hierarchie neither wicked nor Antichristian, and such was this Hierarchie in the Church of Scotland ; consisting of Bishops, Presbyters and Deacons, wherein Bishops have so preheminance over others, as they refuse not to be subject to Christ, and depend upon him, as from their head, and not from the Pope of Rome, &c. And therefore in the judgement of *Calvin*, those who will not reverence such an Hierarchie, are worthy to be accounted execrable and accursed ; and since our Covenanters professe, that they reverence the judgement of *Calvin* more than all Antiquitie, I marvell how they can blesse themselves in this, wherein he accounteth them accursed.

To

To the same purpose likewise speaketh *Beza*, the chief promoter of Presbyteriall government in his Answer to *Saravia De divers. grad. Ministr. cap. 21.* Albeit he doth not name Hierarchie, yet speaking of the Orders in the Roman Church, whereof the Hierarchie doth consist, he concludeth in these words, *Neither doe we accuse of this Tyrannie, all those who are called Archbishops or Bishops, for what Arrogancie were this? yea, we doe acknowledge all those who are so called, as faithfull Pastors of the Christian Church, providing, they imitate the example of those holy Bishops, in reforming the house of God so miserably deformed; according to the rule of Gods Word; and obey them, and with all reverence receive them: so farre are we from that whereof some do most impudently accuse us, that we should prescribe to any our particular example to be followed like to those impertinent men, who esteeme nothing well done except that which they doe themselves, &c.* By the judgement then of these two learned men, whose judgements they can hardly contemne, all Hierarchie is not condemned, nor all Episcopacie under the name of Hierarchie is to be abjured, but only in so farre as it is Antichristian and wicked; that is to say, the manifold corruptions and abuses in the orders of Ecclesiasticall rulers brought in by the Pope to fortifie his usurped Tyrannie; Those with you we also abjure and detest from our very heart. But so it is, that one Pastor to have power and preheminence over others, is not to be reckoned amongst these corruptions which were brought in by the Pope or Antichrist, but was appointed by God himself, and practised in the Church by those whom *Beza* doth acknowledge to have been faithfull Pastors of the Christian Church.

Now to come to the reasons which they set down at length in the end of the Act; the first reason whereby they presse to prove that the order of Government under Bishops, having power and preheminence over other Pastors, as Presbyters and Deacons, is the *Papish Hierarchie*,

why, is in these words: *The Popish Hierarchie doth consist of Bishops, Presbyters and Deacons, that is, Baptizing and Preaching Deacons*, which they prove first by a Canon of the Councell of Trent. 2. By a testimony of Bellarmine. 3. By a Censure of the Vniversitie of Paris, of certaine Articles sent out of Ireland; which tedious probation was needlesse, for we doe not deny their proposition, but grant that the Popish Hierarchie doth consist of Bishops, Presbyters and Deacons; But what then? they suppress the Assumption and Conclusion, yet according to Logickall Rules we may finde them out, their Conclusion is known, towit, that *Episcopall Government is the Antichristian wicked Hierarchie*. So to inferre this Conclusion upon their proposition as it is set down, nothing can be assumed for the minor, but that *Episcopall Government consisteth of Bishops, Presbyters and Deacons*. So the whole Syllogisme must be.

The Popish Hierarchie doth consist of Bishops, Presbyters and Deacons.

But Episcopall Government consisteth of Bishops, Presbyters and Deacons:

Ergo, Episcopall government is the Popish wicked Hierarchie.

But by their leave, this is a Syllogisme, *Ex omnibus particularibus & affirmantibus in secundâ figurâ*, which concludeth not, as they who have learned the first rudiment of Logick knows; such as that, *Asinus habet aures, tu habes aures, ergo, tu es Asinus*. I confesse that this may be reduced to a syllogisme in *primâ figurâ*, by converting the termes of the proposition, and making it universall, as *Quicquid habet aures est Asinus, tu habes aures, Ergo, &c.* But thus the Major is evidently false, and so likewise their Syllogisme may be deduced in the same manner, by converting the Major, and making it universall, but so it is no more their proposition, thus;

All Orders of Ecclesiasticall Rulers consisting of
L *Bishops,*

Bishops, Presbyters and Deacons is the Antichristian wicked Hierarchie.

But the orders of Ecclesiasticall rulers in Episcopall Government consisteth of Bishops, Presbyters and Deacons.

Ergo, &c.

But so the *major* is evidently also false, neither doth their reasons any wayes prove it, for if it were true, we might aswell prove thereby that the orders in the Ecclesiasticall Rulers in the Apostles dayes, and Primitive Church after them, was the Popish wicked *Hierarchie*; for they cannot deny but therein were Bishops, Presbyters and Deacons. As likewise that their Presbyteriall Government is the Antichristian wicked *Hierarchie*, for they grant that their Pastors are Bishops, their Elders Presbyters, and their Deacons are Ecclesiasticall Rulers also.

But they seeme to object, that their Deacons are not preaching and baptizing Deacons as ours are, and those of the Roman Church, but onely distributors of the Ecclesiasticall goods: I answer, their Deacons are so much the worse, as unlike to Apostolick Deacons; and therefore our Deacons and Popish Deacons more Christian, and liker to those who were appointed by the Apostles, for *Stephen* who was the first of these Deacons was a Preacher, and for his preaching suffered Martyrdom. *Act. 7.* *Philip* was a Deacon, and yet both a Preacher and Baptizer, *Act. 8. 5. & 12.* And so we must esteeme that all the rest of the Deacons had the same power, nor are they able to shew the contrary. We will not be ashamed therefore in this point, rather to joyne with Papists, wherein they adhere to Gods Word and sound Antiquity, than to their new invented opinion disagreeing from both.

This reason, notwithstanding the grosse informallitie thereof, was good enough for the Common people, who are well pleased with any shew of reason coming from

from the mouths of their Leaders, and men of learning amongst them either would not or durst not enquire the strength of it : or if they did enquire in their own minds, durst not publish their opinion either by word or writ, because of an Act of this Assemblée, *Sess. 23. Act. 17.* prohibiting any person of whatsoever qualitie or degree to speak or write against this Assemblée, or any Act thereof under paine of incurring the censure of the Kirk.

Therefore leaving the informality of this Argument, I answer to the substance of the matter ; that all orders of Ecclesiasticall Rulers are and may be called an *Hierarchie* we grant, in that sense which we have declared, but that all such is wicked and Antichristian we deny, and have even *Calvin* (the first founder of Presbyteriall Discipline) for our warrant, as we have shown already : and therefore that exception they make, *That this Hierarchie is called the Antichristian Hierarchie, not to distinguish the Hierarchie in the Popish Church from any other as lawfull, But that the Hierarchie wheresoever it is, is called Hu ; is most false, and all the reasons they bring to prove it are as false and impertinent.*

First, they say, as *Invocation of Saints, Canonization of Saints, &c.* are called his, not that there is any lawfull Invocation or Canonization of Saints, but wheresoever they are, they are his ; even so (would they say) the *Hierarchie* is called his, not as if there were any other *Hierarchie* lawfull, but all *Hierarchie* wheresoever it is, is the Popes, therefore abjured. A solid reason indeed, and worthy of such an Assembly : for first they may aswell conclude that all worldly Monarchy is abjured, because the Popes worldly Monarchie is abjured, and so be of the Anabaptists opinion, that there ought to be no King in a Christian Church ; and indeed it is to be lamented that their words, writings and practice doe bewray their mind, that they approach too neer to those damnable opinions.

Secondly, this is a manifest putid Sophisme, *A dicto se-*

cundum quid ad dictum simpliciter; All Antichristian wicked Hierarchie is abjured, Ergo, All Hierarchie is abjured simpliciter. A child or an ignorant that knew never a word of Logick, may see by naturall reason evidently the absurditie of this Argument, for albeit all wicked and Antichristian Hierarchie is unlawfull, and therefore to be abjured: but since there may be a lawfull Hierarchie in the Church as we have shown, which therefore needs not to be abjured *simpliciter*; as if one should reason thus; *God hateth all wicked men, ergo He hateth all men simpliciter.* This Sophisme is like that which is in their next Act against the Articles of *Perths* Assembly, to prove that Confirmation of Children is abjured, *The Popish five bastard Sacraments are abjured, but Confirmation is one of the five bastard Sacraments, ergo abjured*: It is abjured indeed to be a Sacrament, but not therefore simply, for so they may conclude aswell upon that ground that Marriage is abjured, because Marriage is one of these five bastard Sacraments; albeit perhaps the Moderator has abjured marriage, yet I hope all the rest of the Brethren of the Assembly will not doe so. I marvell indeed, that men esteemed for learned and wise should have blotted paper with such trash, and put such childish Arguments in print, as if they had to deal with none but fools or Ignorants. Thirdly, there is a great difference betwixt Canonization or Invocation of Saints, and an Hierarchie: for Invocation and Canonization are simply evill in themselves, as against Gods Word, albeit they had never had the Pope for their Author. But an Hierarchie or order of sacred Rulers in the Church is not in it self evill, but onely in regard of the Corruptions thereof in the Roman Church, for which respect it is called Antichristian and wicked, and therefore only abjured; though in it self separating these corruptions from it, it may be lawfull and retained.

Secondly, they bring a reason to prove this, that all Hierarchie is the Popes in these words, *Whatsoever corruption was in the Kirk, either in Doctrine, Worship, or Govern-*

Government, since the mystery of iniquitie began to work, and is retained and maintained by the Pope, and obtruded upon the Church by his Authoritie, is his, but all Hierarchie is such; Ergo, &c. I answer, that neither the Hierarchie in it self, that is the order of Ecclesiasticall Rulers, nor the power and preheminencie of one of these orders above others, is a corruption of the Church, but a perfection thereof, as we have shown before, nor was it brought in since the mystery of Iniquity began to work, but established by God himself long before that mysterie of Iniquitie; And albeit it was retained and maintained by the Pope, yet for that is it not to be rejected more than divers sound points of Doctrine, which are as yet retained and maintained by the Pope; God forbid we should think, that all which the Pope retaines and maintaines were wicked and properly Antichristian; finally, neither is it obtruded now upon the reformed Church by the Popes Authoritie, but restored to the former perfection by the lawfull Authoritie of the Kings Majestie, with consent both of Civill and Ecclesiasticall Supreme Iudicatorie of Generall Assemblies and Parliaments: Therefore this *Hierarchie* in our Church is neither to be accounted the Popes nor Antichristian.

Thirdly, they alleage a passage out of the Historie of the Councell of Trent to prove this, *Where it is related that the Councell would not define the Hierarchie by the seven Orders: and that we have in our Confession the manifold orders set apart, and distinguished from the Hierarchie: Ergo, Gluke.* I professe I doe not understand what they would conclude upon these words, but of this I am assured, they can conclude nothing that serves to prove their conclusion; It hath need of a sharp wit to finde any cleer consequence thereof pertinent to the purpose, and since they have set downe no consequence themselves, it were an idle thing for me to trouble my braines to search it out, and therefore untill it be better explained, I leave it.

Lastly, they alleage a passage out of their second book of Discipline, *Cap. 2.* in the end thereof: *Therefore all the ambitious titles invented in the Kingdome of Antichrist, and in his usurped Hierarchie which are not of one of these foure sorts, to wit, Pastors, Doctors, Elders and Deacons: together with the offices depending thereupon in one word ought to be rejected.* If they would conclude upon this, that the ambitious title of Bishop, and the office depending thereupon is therefore to be rejected, (for I can see no other consequence that can be deduced of these words pertinent to the purpose in hand.) I answer, first that they have used *as* great falshood in this citation, as they have done in divers others before, for in that same very place cited by them, the title of Bishop is one of these which they acknowledge is given to signifie a Pastor of the Church, for a little before, they number these titles to be Pastor, Minister, Bishop, Doctor, Presbyter, Elder and Deacon; and yet they here in their citation, reckon onely foure titles, whereas in the book it self in the Chapter cited by them seven are reckoned, whereof the title of Bishop is one, and therefore not to be rejected as an ambitious title, nor the office depending thereupon. Secondly, the title of Bishop is not an ambitious title invented in the Kingdome of the Antichrist, or the Popes usurped Hierarchie, but is a title given by the Spirit of God in the Scripture to signifie a Spirituall function in the Church, *Acts 1. 20. Acts 20. 28. 1 Tim. 3. 1, 2.* And therefore this Citation out of the Book of Discipline is both false and impertinent. Thirdly, Albeit it were truly alleaged, and did prove the point directly, yet we account not the Authoritie of that Book so authentick, as to make it an Article of our Beleife whatsoever is said there.

CHAP. X.

Containing an Answer to the fourth place cited out of the Abjuration.

THE fourth and last passage of the Abjuration or Negative Confession, whereby they alleage that Episcopacie is abjured, is, *We professe that we joyne our selves to this reformed Kirk, in Doctrine, Faith, Religion, and Discipline; promising and swearing by the great Name of God, that we shall continue in the Doctrine and Discipline of this Kirk, and defend the same according to our Vocation and power all the dayes of our life.*

First, we must remark that by these foure distinct terms are not signified foure severall distinct things, but by doctrine, Faith and Religion is signified one and the self-same thing, for *Doctrine* to be beleaved is the object of *Faith* and *Religion* consists in the practice of this *Doctrine*, and *Discipline* is the meanes to conserve *Doctrine, Faith and Religion*, and so we see in the next words, containing the promissary part of the Oath, they are all reduced to two, *Doctrine* and *Discipline*.

Secondly, we must consider what doctrine and discipline this is whereunto they swear; It is not every point of doctrine which hath been taught in the pulpits of Scotland, nor every point of Discipline which hath been practised in their Sessions, Presbyteries & Assemblies; for then (God knowes) how doubtfull and uncertaine an Oath this should have been, because those points have been often changed, and some directly contrary to other: the matter of an Oath should be so clearly and particularly set down as is possible; for if be set down indefinitely, men may involve themselves rashly in a contradictory Oath: And therefore those who framed this Oath, have wisely and considerately set down divers limitations of the matter of the Oath, whereby it is made clear and
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evident, what doctrine and discipline it is whereunto they promise by their oath to joyn themselves: But our Covenanters have dissembled subtilly those necessary limitations, and set it down in generall and indefinite termes, only naming in generall the Doctrine and Discipline of the Church of Scotland.

Now that we may know more evidently what Doctrine and Discipline is here meant, I shall set down at more length the words of the Oath as they be in the Originall: *We beleeve with our hearts and confesse with our mouthes, &c. that this is the onely true Faith and Religion, pleasing God and bringing salvation to man, which is now by the mercy of God revealed to us by the preaching of the blessed Evangel, and received, beleeved and defended by many notable Churches and Realms, and chiefly by the Church of Scotland; particularly expressed in the Confession of Faith, established and publicly confirmed by divers Acts of Parliament, and now of a long time publicly professed by the King and whole body of the Kingdome.* In these words are comprehended foure necessary limitations of the matter of this Oath, without the bounds of which, it is not to be extended; Albeit it were sufficient to shew that Episcopacie was not abjured by this Oath, if we prove that by any one of these limitations it can be excluded, yet to make the probation more full we shall make it evident, that not by one onely, but by all these foure limitations, this point (*That it is not lawfull for one Pastor to have power and preheminence over his Brethren, or over more particular flocks than one*) is excluded from this Oath, and therefore not abjured as a Popish error.

The first limitation is, that they only did swear to adhere to that Doctrine, *which is revealed by the preaching of the blessed Evangel, or by Gods Word*: But so it is that no doctrine condemning this power and preheminencie, is revealed by the Gospel, or expressed by Gods Word, or depending thereupon by necessary consequence, therefore
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by that Oath, none was sworn to adhere to any such Doctrine condemning that point : But the contrary doctrine is so clearly testified by the whole course of Scripture, both in the old and new Testament, that it is lawfull for one Pastor to have power and preheminence over others, or over moe particular flocks, that we much admire why men so versed in Scripture can be so blinded as not to see so cleer a Truth, or if they see it to be so impudent, and without conscience to abjure it as a damnable Heresie, compelling others to abjure the same by so solemn and fearfull an Oath, wherein they move them really to perjure themselves for eschewing a supposed perjury.

The second limiration is, that the Doctrine whereunto they swear to adhere was that, *Which was received, beleeved, and defended by many notable Churches & Realms*, then when this Oath was first made : But so it is that this Doctrine declaring it to be unlawfull, that one Pastor should have power and preheminence over others &c. was not received, beleeved, and defended by many notable Churches and Realms at that time ; for we can shew that the most of the reformed Churches and Realms at that time did professe and practise the contrary, as all the Churches of *High-Germany, Bohemia, Denmark, Sweden, Norway, Poland, Hungaria, Helvetia, England, Ireland, and our own Church of Scotland*: they cannot produce one Realm, nor any Church that had at that time imbraced fully presbyteriall Government, except one City of *Geneva*, which notwithstanding did not so absolutely condemne Episcopacie as they doe, as we have shown by the Testimonie of the two cheifest members of that Church, *Calvin and Beza*. There are now some Churches which have received the *Geneva Discipline*, as the *Palatinate in High-Germany, the confederate Provinces of Lower-Germany, and the reformed Church of France*, which notwithstanding had not that Discipline, nor a full established Church amongst them at that time : for the *Palatinate* continued in the Doctrine and Discipline

of the *Augustane* Confession, untill the year 1584. when *John Cassimere* Prince Elector after his Brother *Lodowick's* death brought in Calvinisme, as *Lucas Osiander* in his *Epitom, Histor. Eccles. Cent. 26. lib. 4. cap. 20.* doth testifie. In the Low Countries, albeit there were many protestants before, yet had they not an established Church untill the year 1583. when as they renounced the Authority of the King of *Spaine*: neither had they of *France* an established Church untill the raigne of *Henry* the Fourth. Reade over all the Confessions of Reformed Churches contained in that *Syntagma confessionum*, you shall not finde one of them condemning this power and preheminence, or Episcopacie absolutely. But on the contrary, many of them doe expressly approve it: Therefore since there was not many notable Churches and Realmes, which received, beleaved and defended, that it was unlawfull for one Pastor to have power and preheminence over others, or over moe particular flocks, it is manifest that this point was not abjured by the Oath of the Covenant.

Thirdly, the matter of the Oath is expressly restricted to that Doctrine and Discipline, *which is particularly expressed in the Confession of Faith, set down Anno 1560. And ratified publicly by divers Acts of Parliament before this Abjuration was sworn*: by which limitation is excluded from this oath all points of Doctrine and Discipline added since, either by Acts of Generall Assemblies, Synods or Presbyteries since that Confession was received, as that Act of the Assemblie at *Dundie*, 1580. and at *Glasgow*, 1581. Condemning Episcopacie, and others of that kinde; and such are our Covenanters Additions or Applications of the Confession of Faith, expressed in their *Rebellious Covenant*: And the truth is, that they neither have nor can produce one word of that Confession condemning this power and preheminence, neither had the Church who established it any such purpose or intention to doe so. But on the contrary, the same Church,

preheminencie of Superintendents and Commissioners was publickly approved by the first book of Discipline, and by divers Acts of Generall Assemblies, even then, and some years after standing in force unrepealed, which we have before faithfully cited *cap. 5.* And as for the civill Courts both of Councell and Parliament, they declared their profession by rejecting of divers suits made for ratifying the second book of Discipline, which seemed to condemne this power and preheminence as in the Assemblies, 1578. 1579. and 1580. cited here by themselves; It is declared that divers suits were made for establishing the second book of Discipline by Act of Parliament, or otherwise, if that could not be obtained, by Act of Councell, but both the one and the other were often refused.

Moreover, it was declared by the King and whole body of the Kingdome assembled in Parliament at *Edin-burgh* May 22. 1584. that they had no such profession: but on the contrary, in the 129. Act of that Parliament representing the whole body of the Kingdome, the whole power, preheminence and Iurisdiction of Bishops was ratified and confirmed in most ample forme. By which it is evident, that there was no point of Doctrine long before the swearing of this Covenant received, believed and defended by the King and whole body of the Kingdome, condemning this power and preheminence now in question: And therefore that it was not abjured by the Oath of the Covenant. And since it is so, it is strange with what face or conscience they can so farre abuse Christian people, as to impote falsely such a burden upon the Consciences of all persons within the Kingdome, both King and Subjects, Pastors and people, in pressing to perswade them against so many evident reasons, that they are all by vertue of that Oath so fearfully perjured, who have consented to the restoring of Episcopacie.

But, because this point of Episcopacie is understood by them

them rather to be abjured under the name of *Discipline*, than under the name of *Doctrine*: therefore to take away all way of Escape or subterfuge, we shall examine the point of *Discipline* also, and shew how farre it is included in the Oath; and albeit it be by all those former limitations excluded also, for these limitations are to be applied aswell to the *Discipline* as to the *Doctrine*.

Yet for further resolution, we must consider that the word (*Discipline*) is taken in divers significations, first strictly and properly, for that part of the *Police* which concerneth the censures of the Church, to be practised upon those who doe erre either in doctrine, or in manners of life. And so *Episcopacie*, or power and preheminance of one Pastor over others is not contrary thereto, but may very well subsist therewith, and hath subsisted actually both during the Governement under Superintendents or Commissioners, as also under the Government of Bishops since they were re-established: for the same censures which were established by the book of *Discipline*, by the order set down before our Psalm books, and by divers Acts of Generall Assemblies long before Bishops were re-established, did still remaine the same admonitions private and publik, the same sentence of excommunication, and manner of proceeding therein, by three private and three publik Citations before Ecclesiasticall Iudicatories, the same publik prayers appointed by order of the Church of repentance to the delinquent, upon three severall Sabbath dayes, the same forme of pronouncing the sentence, and enjoyning private or publik satisfaction, the same manner of receiving and absolving of the penitent, As all within the Church of *Scotland* doe know: And therefore it is evident, that this power and preheminance of Bishops is not contrary to the *Discipline* of the Church of *Scotland* taken in this sense; as apparantly it is taken in the Oath for in all speeches or writs of consequence, chiefly those which are set down for a solemn oath, (which ought to be plain and cleer,) the words must

be taken in their proper and most usuall sense, rather than in an unproper and figurative, except by some evident reason it appear that it must be taken improperly. And this certainly is the most proper and usuall meaning of this word (*Discipline*,) as it is taken in the order set down before our Psalm books, in the second book of *Discipline cap. 7.* intituled of *Ecclesiasticall Discipline*, in the second book of *Discipline* every where, and most frequently by all Ecclesiasticall writers: and therefore those who have obeyed and received Bishops are not perjured, nor have broken that oath, whereby they did swear *to adhere to the Discipline of the Church of Scotland.* But on the contrary, those of this Assembly who have deposed and excommunicated with such precipitation so many Bishops and Ministers, without observing in their proces these formes prescribed by the *Discipline of the Church of Scotland*, are evidently perjured according to their own grounds.

Secondly, the word *Discipline* is taken at some times in a more large and ample signification, for the whole *Policie* of the Church, which in the second book of *Discipline cap. 1.* is defined to be *An order or form of Spirituall Government, which is exercised by the members thereto appointed by the Word of God, for the weell of the whole bodie:* which policie *cap. 2.* is divided, first in regard of the persons, in that part which concerneth Rulers, and that which concerneth them who are ruled; secondly, in regard of the thing subject to this *Policie* in three parts. 1. The policie which concernes the preaching of the Word, and the administration of the Sacraments. 2. That which concerneth the censures of the Church or *Discipline* so properly called. 3. In that which concerneth the collecting and distributions of Almes and rent of the Church.

Now if any will be so obstinate as to contend, that the word *Discipline* is taken in this large sense in the Oath of the Covenant; for their satisfaction likewise, we must consider

consider that in this Discipline or Policie, it is requisite that we distinguish the points which are essentiall and perpetuall, from the points accidentall and mutable; or as it is expressly distinguished in the first book of Discipline cap. 9. *Intituled of the Policie of the Church in things utterly necessary*, without the which there is no face of a visible Church, and in things profitable and not meerly necessarie: the points utterly necessary are those which are prescribed by Gods Word to endure perpetually, as that there be Pastors, Teachers and Rulers in the Church, that Gods Word be truly taught, and Sacraments administered according to Christs Institutions, and that the censures of the Church be exercised against scandalous persons, and such other like things. The points not meerly necessary but profitable are those, which are not particularly prescribed by Gods Word, but left to the libertie of the Church to constitute by Ecclesiasticall Canons, setting down the formes, Ceremonies and Orders to be observed in Gods worship, and ruling of the Church, according as the divers circumstances of time, place, and persons doe require: Such as, how many Pastors under what names and titles they ought to bear rule in the Church, over what bounds or what particular persons they ought to have charge, when, where, in what order, gesture, or what habite they ought to preach, pray, or administer Sacraments, and exercise their Authoritie, and divers other Ecclesiasticall Constitutions concerning their particular manner of Government.

The first sort ought not to be altered or changed in substance, since they are appointed by God to be perpetuall in the Church, and the oath taken in Baptisme, or entrie to a calling, doth oblige every one within the Church according to their place and station therein, to observe them perpetually, albeit there had been no other Oath. But so it is that this power and preheminiencie here condemned, is not contrary to any of these essentiall points of the policie of the Church appointed by Gods word, but most

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conforme therto, according to the practice of the Church both under the Old and New Testament; And therefore in swearing to adhere to these points of Discipline none have abjured this power and preheminance, but therewith have retained those essentiall points without change or Alteration.

There be other points of Episcopacie, which are comprehended under the accidentall parts of the Policie of the Church, such as are by what titles or names those who bear chief rule in the Church ought to be called, *Whether Bishops, or Superintendents, or Commissioners, or Presidents, or presbiteres, or Moderatores*, by whose advice they should exercise their Authoritie, whether by *Chapters, or Synods, or Presbyteries*, or by other wise, godly and learned men, assumed by their own choice to be their Councell: Albeit indeed it be more expedient to use these titles and names, which have ever been used in the Apostolick and Primitive Church, and continued by long prescription in after ages, than those new invented titles, by men affecting Singularity.

These points being alterable in their own nature, as not being precisely commanded in Gods word, may be changed by the Church in whose libertie they were left: and therefore no Oath could bind any man to the perpetuall observation thereof, in case it pleased the Church for reasons of expediency to alter them; for according to that Common *Regula Juris, Juramentum sequitur naturam actus super quo interponitur*, if the things we swear unto be of their own nature *perpetui Juris*, the oath taken thereupon bindes to the perpetuall observation, and no Creature is able to absolve us of that Oath. But if it be *juris positivi*, and onely a Constitution of the Church or Common-wealth concerning these things which are left to the libertie of the Church or Supreme Magistrates; then certainly, the oath taken thereupon, bindeth no longer than the Constitution standeth in force, but being altered by that same lawfull Authoritie whereby

whereby it was established, all are *ipso facto* loosed from the bond of that Oath : yea all those who have sworn to adhere to the Discipline of the Church of Scotland, are bound by vertue of that oath to follow the Church in the alteration she makes in those mutable points, and to obey the new Acts and Constitutions that concerne the same. Although they be different or contrary to the former Acts, and all those who disobey therein contemptuously, are guiltie of perjurie : Therefore since the Church hath altered upon good and grave reasons those formes and Constitutions of Presbyteriall Government, established for a time not upon so good grounds unto the ancient approved manner of Episcopall Government ; all those within the Church are obliged notwithstanding of their former oath to follow the Church in her change without fear of perjurie. And on the contrary all our Covenanters, who before the lawfull abrogation of the Constitutions of the Church established by lawfull Authority, have not conformed themselves thereto, but disobeying them in their own persons, and by their exemplary practice intised, yea compelled others to disobey and rebell to the disgrace of their mother their Church, and breaking of the bond of peace, whereby the Unitie of the Spirit is conserved doe lye under a fearfull perjurie untill they doe seriously repent.

CHAP. XI.

Answering to the Acts of the Generall Assemblies produced against Bishops untill that Act at Dundee, 1580.

HAVING discussed those passages alleaged out of the Abjuration of the Covenant, it rests that we answer in like manner to the Acts of divers generall Assemblies, produced to prove that the Church hath condemned

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this power and preheminence of one Pastor over another and over moe particular flocks : albeit a sufficient answer may easily be gathered by the judicious Reader, out of that which we have said already, yet because many are moved by the Authority of those Assemblies, who doe not understand the manner of their proceedings, we must consider them more particularly, to the end that we may shew what weight and force they ought to have in the Church.

Those Acts here cited by them for the more commodious answering without Tautologie may be disposed in three Ranks, first, some of them containe only preparations to the condemning of Episcopacie, as those from the year 1575. to the 1580. next there are some that tend directly to the establishing of the second book of Discipline, transferring the power of Bishops to Presbyteries; thirdly, others are such as condemne Episcopacie, which all we shall examine particularly in their own order.

And first we must observe, that they never alleage one word of any Assembly since the Reformation untill that at *Edinburgh* 1575. albeit there were thirtie generall Assemblies in *Scotland* before that time, more uncorrupt, holy and venerable, than any of those which are alleaged of them; for why they were not able to shew by any probabilitie, that before that time the Church of *Scotland* did think any evill of this power and preheminencie, but did continually and constantly approve the same both by her Constitutions and practice.

Next we must consider the causes and occasions moving the Ministers at that time to alter their judgements in this point, and if we remark the estate of the Church and Kingdome of *Scotland* at that time, as it is known to all these who have taken paines to understand the true history of the Church and Kingdome of *Scotland* in those dayes, we shall finde evidently the occasions of this alteration of Judgement.

First, there were at that time some men of learning,
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but of fiery and violent humours, come into *Scotland* from *Geneva*, who because of their travels abroad and learning were had in great esteeme; and they being themselves greatly in love with *Geneva* discipline, did labour by all manner of perswasions to move others to like both of the Clergie and Laitie, especially Noblemen, to a liking thereof also; at last by intreaties, perswasions, and some shew of reason made secretly amongst themselves a reasonable number both of Nobility and Ministry, who carried a great sway in generall Assemblies, and were able to make a partie if the former Government were called in Question.

Secondly, they thought the time fit to further their designe, in regard of the Kings Majesties minoritie, being then about ten years of age at most, and therefore not capable of the knowledge of that which was most fit for the Government either of the Civill or Ecclesiastick estate, governed himself by divers men of divers humours.

Thirdly, there was a great furtherance to this Alteration, in regard of the great troubles, divisions and factions at that time, amongst the Nobilitie and Courtiers, every one striving to thrust out his Neighbour from that employment he had about the King and Court, as witnes the violent death of three Regents, and the fourth, like enough, had gone the same way (if his Government had indured longer) and many of the Nobility cut off by particular quarrells, some justly, some unjustly under colour of legall proceeding: as witnes likewise an Act of the Assemblie at *Edinburgh* 1578. whereby a solemn Fast was enjoyned for divers reasons, *Especially because of the civill and intestine, ungodly Seditions and Divisions within the Bowells of the Kingdome*: Some Noblemen therefore and Courtiers in those factious times, as fishing in troubled waters, to further their own ends did labour to make some pretext of Religion, and therefore did strive to have the Church upon their side, abetting the simplicitie of some

of the Ministrie zealous of the new Discipline, and the pride of others impatient of subjection to their Bishops or Superintendents stirring them up to cast off their yokes knowing that they by their Sermons and private practices might doe much, to make the people incline to which faction they pleased best; And by that meanes to force the Kings Majestie for fear of a generall insurrection to grant them whatsoever they desired, which policie our Covenanting Noblemen have carefully practised now with great but a dangerous effect: there was never yet in those times so bold a Traitor, but he found Ministers of that Sect to Countenance him, and approve his doings both privately and publikly, as witnes their applauding the Earle of *Bothwell* in his treasonable attempts, for it is certainly known that of those moneyes which was collected by the Ministers for the relief of *Geneva*, a part was employed to wage souldiers for him, I know and could name if I pleased both the deliverers and Receivers thereof: It is known also that Ministers of that Sect had a chief hand in all those attempts which commonly are called *Roads*, as at the road of *Strisilling*, the road of *Leith*, and the *Abbey* road, and at the 17. day of December the Earle of *Gowry* found one of the prime Ministers of that Sect to justifie his cause, and refuse to give thanks to God for the Kings Deliverie from that treasonable Attempt. Finally, it is well known how King *James* of happy memory was vehemently troubled and vexed most unjustly by that Sect, during the time of that Anarchie of the Church, as he himself left in record in his *Basilicon Doron*.

Fourthly, to those occasions another was joyned to further the ruine of Episcopacie, towit, the Sacrilegious greed of some of the Nobilitie and Courtiers gaping after the Church-rents, which they perceived they could never obtaine so long as the Authority of Bishops did subsist, and therefore did use the uttermost of their endeavour to bear down that estate, pushing forward the Ministers

sters to cry out against the Bishops, and to blaze abroad their personall faults both in their Assemblies, Pulpits and private conference, to make the very office it self odious to the people.

It is therefore more than manifest, that those troublesome and factious times cannot be accounted a good precedent for the Government of the Church in after ages; for shall a few turbulent Assemblies backed and pushed forward by factious humours and sacrilegious greed of Noblemen and Courtiers? in the minorage of the Supreme Magistrate constituting a new Discipline, by the example of one small Citie of *Geneva*, confirmed onely by the practice of fourteen or fifteen yeers at most, be able to counterpoize Gods Word, the continuall practice of the Church of God both under the old and new Testament, and the example of the blessed Apostles and their Successors, the venerable Pastors of the Primitive Church, continued in after ages in all Christian Nations untill this last age; yea retained by the first reformers of the Church of *Scotland*, and approved by the Church therein for many yeers thereafter. So that the Authoritie of these Assemblies ought not to move judicious men judging without partiall affection: This much in generall concerning those Assemblies whereby the estate of Bishops was oppressed in those dayes, yet to remove all scruple, we shall discusse particularly all the Acts alleaged here out of these assemblies, shewing that they serve little or nothing to the present purpose.

First, they alleage that Bishops were tolerated from the year 1572. untill this year 1575.. But by their leaves, they were tolerated from the very first yeers of the Reformation; for so many of them as did joyne themselves to the reformed Religion, retaining the title, office, and Benefice of a Bishop, did exercise their jurisdiction over all the Pastors and people within their Diocese by approbation of the generall Assemblies of the Church, as we have shewn before, Cap. 5. So that this was not as they

allege a meer tolleration, but a full consent and approbation, at least in regard of their power and preherminence above Ministers, and charge over moe particular parishes. It is true that *Anno* 1572. there were divers Bishopricks vacant, and that my Lord Regent did excuse himself to the Assembly, that they had been so long void; as appears by an Act of that Assemblie at *Edinburgh*, August 1572. wherein it is recorded, that *Alexander Hay* Clark of the Councell presented some Articles in name of the Regent to the Assembly, whereof one is *My Lord Regent his grace mindes, that with all convenient diligence, qualified persons shall be presented to the Bishopricks now vacant, the delay wherof has not been by his owne default, but by reason that some enteresse was made to those livings in favour of some Noblemen, before his acceptation of the Regencie; yet his Grace is perswaded that qualified persons shall be speedily presented, and in case of faile, will not faile without the others knowledge or consent so present.* So it appears by his excuse, and promise of diligence in times to come, that this was not a tolleration onely, but an earnest suit of the Church, that qualified persons should be presented as they were shortly after and accepted by the Assembly: The Regent at this time was the worthy *Mathew Earle of Lenox*, a man of a noble and generous disposition, who bent himself to wrest the Church Livings out of the Noblemens hands, and to establish the Church in her proper lustre, which doubtlesse he had effectuate if he had been suffered longer to live, and so settled things therein, as King *James* of happy memory, and King *Charles* now reigning should not have had so much trouble and turmoile in redressing the estate thereof againe: But not long after this, he was traiterously murdered in *Servissling*, and after his death another wind blowing, all his designs were reversed, Episcopacie born down, and the Church brought to miserable povertie.

The first Assembly alleged to prove their conclusion is that in August 1575. which notwithstanding doth no-
 thing

thing make for them, but against them rather, as we shall make manifest by the proceeding of that Assembly and Conclusion thereof, according as we have faithfully extracted them out of the Register of the Assemblies. At this Assembly indeed was made the first publik motion against Episcopacie (although they had before laid privately their plots in their own conventicles) at the very beginning of the Assembly, when they were calling the Roll of their names, the Bishops (according to the accustomed order in former Assemblies) being first called, the promoters of Geneva discipline set forward one John Durie, a man neither of the wisest nor most learned of the Ministrie, but of great boldness, which happily he had learned in the Cloister, having been sometime (as I have heard) a Monk in Dumfries; he rising up made a Protestation, *That the calling of the Bishops in the Assembly should not prejudice the opinions and reasons which he and other Brethren of his mind had to oppose against the office and name of Bishops*; this Protestation being vehemently seconded by others, the question was proposed to the Assembly in these termes, *Whether the Bishops, as they are now in Scotland, have their function of the word of God, or not*: a more formall proposition indeed than this in the Assembly of the Covenanters, albeit it have some ambiguity also: they thought it not fit to put the matter presently to the voicing, untill it were sufficiently discussed by reasoning *pro & contra*; and for that effect there are three appointed upon every part to reason the matter, and to report their judgement and opinion to the Assembly, and how farre they could agree: the reasoners against Episcopacie were Mr. Andrew Melvin Principall of the Colledge of Glasgow, who was the chief man in this cause, Mr. James Lawson Minister at Edinburgh, and Mr. John Craig Minister at Aberdeen: on the other part for Bishops were appointed Mr. George Hay Commissar of Caithness, Mr. David Lindsay Minister at Perth; Mr. John Rose Minister at Perth; they together having

conferred and reasoned the matter at length, could not agree upon the Principall question, and therefore the Assembly determined by an Act, *That they think it not expedient presently to answer to the Principall question*: yet they who were appointed to reason the matter, reported to the Assembly that they had agreed altogether in certain points, First, that the name of Bishop is common to all them which have charge of a particular flock, to preach the Word and administer the Sacrament, which is their chief function by the Word of God. Secondly, That out of this number may be chosen one to have power to visite such reasonable bounds as the Assemblie shall appoint. Thirdly, That he may have power in these bounds to appoint Ministers, with consent of the Ministers of that province, and of the flock to which they are appointed. Fourthly, That he may have power to appoint Elders, and Deacons in every particular Congregation with consent of the people. Fifthly, That he may have power to suspend and depose Ministers for reasonable causes, with consent of the Ministers aforesaid. The which points of agreement were ratified and approved by the next Generall Assembly in April, 1576. whereby it is evident that they did not intend to diminish that power and preheminance, which Superintendents had before over private Ministers, or over the particular Congregations within their bounds, which as we have shown before was no lesse than that which Bishops now doe require to have in the Church: And therefore that this Assemblie concluded directly against them, who condemne the power and preheminance of Bishops over Ministers and over moe particular flocks than one.

Secondly, we must remark a subtile dissimulation of our Covenanters, who in the Citation of this Act remember only one point of this Agreement, to wit, *That the Name of a Bishop is common to every one of them that hath a particular flock*; but dissembles the other points of agreement which we have rehearsed, importing this power and preheminance,

heminnence, because they found them directly contrary to their Conclusion.

Thirdly, albeit they intended at this Assemblie presently to have thrown down Episcopacie to the ground, yet because many wise, learned and godly Brethren did oppose them, standing firmly for the ancient discipline of the Church, there passed five or six years in these contestations before the finall sentence was pronounced; in the mean time those *Episcopomastiges* ceased not to labour diligently by all meanes to draw others to their judgement, using likewise the perswasions of men of speciall note beyond Seas; as in the time of the Contestation, the Lord *Glames* then Chancellor of *Scotland* was moved by our Genevating Ministers to write to *Beza*, craving his opinion concerning the present Government under Bishops & Superintendents, to the which letter *Beza* made a large answer condemning the present Government, and setting down a plot of that Policie and Discipline which he desired them to imbrace, according to the which they did frame their second book of Discipline, and that in many points *ipsissimis verbis*, as may appear by conferring the Book with his Epistle.

That second citation from the Assembly, April 1576. serves nothing to their purpose, for albeit *Some Bishops were censured because they had not betaken themselves to a particular flock*: yet this might consist with power and preheminence over others as is cleer in the Superintendents, who albeit they had particular flocks wherein they were specially bound to attend in preaching the Word, and administration of Sacraments, yet that did not hinder but that they might have charge over other Pastors and moe Parishes.

Finally, those corruptions of the estate of Bishops which are set down in the Assemblie at *Edinburgh*, 1578. were not fully concluded in that Assemblie to be damned absolutely, but only proposed by some and craved to be considered.

CHAP. XII.

*Answering to the Acts for establishing of the
second Book of Discipline.*

THe second Rank of Acts cited out of Generall Assemblies are those which concern the establishing of the second Book of Discipline, such as are that Act of the Assembly in April 1578. Sess. 4. that in April 1578. July 1579. July 1580. Sess. 10. April 1581. 1590. 1591. Sess. 4. to the which they need no particular Answer, but Generally concerning this book of Discipline, we answer, first, that this Book of Discipline was brought in head, and urged by the same means and occasions whereof we spake before, to subvert the former established Government, and to bear down Bishops, that the Church the more easie might be robbed of her patrimonie by Noblemen and Courtiers gaping after the Church-rents, and factious humours striving to singularity, contrary to the mind of the wisest and gravest and most modest of the Ministry, and opposed continually by the King & Council and whole body of the Kingdome, as the very Acts themselves here produced by them doe evidently declare.

Secondly, the Acts of those Assemblies can be of no greater force than the book it self, for the establishing whereof they were made. But so it is, that this Book is not in it self that Discipline whereunto we swear to joine our selves in the Oath of the Covenant, first, because at this time the book of Discipline was but onely a thing in *feri*, not as yet concluded when the Oath was made, and therefore could not be accounted to be comprehended therein; for that Ordinance of the Assemblies at *Glasgow*, 1581. whereby that Discipline was appointed to be registered in the Assembly books, did not make it a binding Law, neither was it intended for that end, but as it is expressly set down in the Act it self *ad perpetuam*

vis memoriam, and that the posteritie should think well of the intension of the Church. So it was but a thing intended by the Church, but not effected: as likewise that Ordinance of the Assembly at *Glasgow* 1590. concerning the subscription to that book, did not extend it self to all, but to actuall Ministers only, and yet of those many did resist it; as particularly the Ministers of *Angus* and *Mearnes*, and divers other parts of the Kingdome, for the which cause it was thought needfull that a new Act should be made *Anno* 1591. injoyning againe the subscription under a penalty, and particularly to those of *Angus* and *Mearnes*. This book was never ratified by any Act of Estate either in Councell or Parliament, without the which they themselves confesse it could not be a Law, as they doe in that Assembly July 1579. and that Assembly 1580 Sess. 10. As for that Act of Parliament 1592. here alleaged, first, it was after the last urging of the swearing of the Covenant 1591. and therefore could not be included in the Oath. Secondly, it was but a partiall ratification, not of the whole book, but of Generall, Synodall, and of Presbyteriall Assemblies, and Parish Sessions, which did still remaine under Episcopall government with greater regularitie than they were before.

2. This book of Discipline many years after the first motion thereof, could not be agreed unto by the greatest and best part of the Ministrie, finding it for the most part but an Imaginary plot, which could be hardly effectuate or indure long in the Church without great corruption, as the event proved. Some of it never put in practice either in the Church of *Scotland*, or any other Church in the world, like to the frame of Policie in *Plato's Republick*, or of *Orotopia*, as those points *de Diaconatu*, concerning the collecting and distribution of the rents of the Church: in some points the contrary hath ever been practised, as it is appointed by that Book *Cap. 7. That Landward Churches should not nor could not have particular Elderships*, and yet ever after there was not so finall a Land-

ward Church, but had their particular Sessions consisting of the Ministers, Elders and Deacons. It is likewise there appointed that Elders *once lawfully called to the office may never leave it again*; and yet it hath ever been an use that he who was Elder this year should be casheered the next, and every year a new Election made. *Item*, it is ordained *Cap. 3. That all Ecclesiasticall Parsons, as Pastors, Elders, and Deacons should receive the Ceremonie of ordination to their office*, which are declared to be Fasting and Prayer, and imposition of hands of Elderships, and yet they did never practise imposition of hands upon Elders or Deacons, but only in the Ordination of Pastors: many other points might be brought which either were never practised, or the contrary practice brought in.

3. If this Book of Discipline be a declaration of the meaning of Church, whereby the negative Confession in the Covenant should be interpreted, then those who have sworn the Covenant, have sworn also to this Book of Discipline; if it be so then, which of all the Covenanters can free themselves of perjurie, for I am assured, that the greatest part are not perswaded in their Conscience of the truth of all this Book of Discipline, nor will swear to adhere thereto all the dayes of their lives: let them put their Covenanting Noblemen, and other Gentlemen possessors of the Church Rents, to an assay to swear that point of this Book *ca. 9. That to take any part of the patrimony of the Church (consisting of Tithes, Manſes, Gleabs, Possessions, Lands, Biggings, Annual rents, and any other thing which hath been at any time before, or shall be in times coming, given for the use and utilitie of the Church) and convert it to the particular and profane use of any person, we hold it a detestable Sacriledge before God*. Or that point *Cap. 12. That this order which Gods Word craves, cannot stand with patronages, or power of presentation, &c.* put them (I say) to this Oath particularly, and make them understand, that by swearing to the discipline of the Church of Scotland, they are sworn also to this point;
and

and then you shall find that they will rather renounce your Covenant before they take such an Oath : Or if they have so bad a Conscience as to swear so directly against their mind, before they perform really that which they swear, by restitution of the patrimonie of the Church and quieting the Right of Patronage, they shall rather revolt from your Covenant, and conforme themselves to the Book of Common Prayer, Book of Canons, and high Commission likewise. So if you should put many of the Ministerie, especially those who possesse rich Parsonages, to swear particularly that point of the Policie appointed by this Book, *Cap. 9. & Cap. 12. To suffer the Deacons to intromet with all their Church Rents, and to distribute the same by the direction of the ruling Elders, giving one fourth part for the maintenance of their Lay-Elders and Deacons, another to their poore Hospitals and Schools: another for upholding the fabrick of the Church and other extraordinary affayres, and only a fourth part to be given to the Minister ;* they should find few of them who would imbrace their Covenant upon those Conditions. So then to perswade people that by swearing to adhere to the discipline of the Church of Scotland, they swear also to this book and to all the points therein, (whereunto the whole Church did agree fully in that Assemblie 1578. as they alleage) either it is a false deluding of the whole Kingdom, in drawing upon their consciences the burden of a fearfull perjurie, or else the Covenanters themselves remaine as yet under that fearfull perjurie, notwithstanding of the renewing of their Covenant, whereby they think that their perjurie is expiate ; for they have not as yet renounced those things which they are bound to renounce by their oath.

4. This Book of Discipline is deficient in the principall points of Church discipline ; there is no order set down therein of the censures of the Church, nor of the manner of proceeding to the sentence of excommunication against offenders, or in the absolution of the penitent, or

of receiving them again into the Church who has been excommunicated : in which points that which properly is called the Discipline of the Church doth consist. Every Church hath her Ecclesiasticall Canons, whereby those things are directed, but this book omitting those Canons hath done, as that Painter, who having portraied every Nation in its proper habite, did paint the French man naked with a paire of Taylors sheets in his hand to shape to himself a fashion of Habite, because he changeth yearly according to his fancie : even so this book of Discipline hath given to the Ministers, and Lay-Elders in their Elderships, a power to shape to themselves a new forme of Discipline every year as they please ; so that as I know perfectly, there were few Presbyteries or Sessions in *Scotland*, but had different manner of proceeding in these things, as I could instance in divers particulars, having seen and perused many Presbyteriall and Session books. And there is none amongst themselves, who frequented divers Presbyteries, but they know this to be true.

Finally, this Book is superabundant also, meddling with those things which doe not appertaine to Ecclesiasticall discipline, as setting down rules restraining the civill and supreme Magistrate in the execution of his charge committed to him by God, debarring him from meddling with Ecclesiasticall matters, and not giving him so much power therein, as to a Shoemaker or Taylor being a ruling Elder, and giving him no definitive power, but only to be an executioner of that which they define, and such other points of Jesuiticall doctrine.

Seeing therefore this book of Discipline was never fully approved, nor practised by the Church, nor fully ratified by the estate and kingdome, nor received fully by the Covenanters themselves, and since it is deficient in principall points of Discipline, and superabundant in meddling with things impertinent, it cannot be accounted that discipline wherunto all are sworn by the oath of the Covenant : And therefore that all those Acts of Assemblies

blies cited here for the establishing thereof are impertinent to prove their conclusion.]

CHAP. XIII.

*Wherein is discussed that Act of the Generall
Assemblee at Dundee 1580. Condemning
Episcopacie, as it was then in Scotland.*

THE principall Act whereupon they chiefly insist, and ground this abjuration and meaning of the Church in these years when the Covenant was sworn, is that Act of the Generall Assemblee at Dundee July 1580. whereby *The office of a Bishop (as it was then used in Scotland) is condemned as unlawfull in it self*: and that Act at Glasgow in April 1581. explaining the same, declaring it *to be understood not of the spirituall function only, but of the whole office of a Bishop, as it was then used*. Albeit the Church appeareth wholly to have condemned by those Acts all the points of the function of a Bishop, yet if we consider rightly, we shall finde nothing in them which proveth directly the determination of this Assemblee; for I cannot see how the whole Church of Scotland did agree at that time in condemning as unlawfull in it self, either this point of Episcopacie which is condemned by this Assemblee of Covenanters 1638. or any Substantiall point either of the Spirituall or temporall function thereof, except they grant that the Church at that time did contradict it self.

First, I am assured they intended not to condemne in Bishops, as unlawfull it self, the preaching of the Word, the Administration of the Sacraments, and the exercise of Ecclesiasticall Discipline, since they acknowledge themselves that these are the principall points of their spirituall function in that Act of the Assemblee 1575. discussed here before.

Secondly,

Secondly, neither did they condemn as unlawfull in it self, the name and title of a Bishop to be appropriated to some Pastors by others, for first, they did allow the title of Superintendent to be appropriated to some pastors, which is a word of the same sense and signification, and importing as great Authoritie and Jurisdiction as the other; And therefore it were but a foolish *Logomachie*, or strife about words to allow the one title, and condemne the other. Secondly, it may aswell be condemned as unlawfull, to appropriate the name of *Minister* to the degree of preaching Pastors, which is common to all those who have charge in the Church: or to appropriate the name of Elder to their ruling Elders only, which is common to all Pastors, Apostles, Evangelists, and Bishops.

Thirdly, neither did they condemne as unlawfull in it self, their power and preheminance over the Ministers in their Diocese, or charge over moe particular Parishes, first, because there were points agreed upon by both parties before this Assemblie, and approved by a speciall Act as we have shown before, *Cap. 11.* Secondly, because this power was as yet still remaining in the persons of Superintendents, Commissioners and Visitors, and long after this time.

Fourthly, neither did they condemne as unlawfull in it self, their power of Convocation of Synodall Assemblies and their moderation therein, for the Church acknowledged this power to be lawfull in Superintendents, as we have shown by divers Acts of Assemblies, *Cap. 5.* for if it were unlawfull in it self, it could not be thought lawfull under any title whatsoever.

Fifthly, neither did they condemne as unlawfull in it self their sitting and voycing in Councell or Parliament, or other Civill Iudicatories; for they acknowledge in the second book of Discipline, *Cap. 11.* *That Pastors may and should assist their Princes when they be required in all things agreeable to Gods Word, whether is be in Council*

or Parliament, or otherwise. So a little before this time *M. Robert Pont*, who was a Pastor and Commissioner of *Caithness*, had licence from the Assemblie to exercise the office of a Senator of the Colledge of Iustice, which was a civill Iudicatorie: That *proviso* which is added to this doth not import any unlawfulness in the office, *Providing they neglect not their own charge, nor by flatterie of Princes hurt the publik estate of the Church*; if any doe so, it is but a personall fault, and not essentiall to the office, for Bishops may doe more good in those places for the publik weal of the Church, than their Apostles of the Covenant by their long staying in *Edinburgb* farre from their own particular charges, attending the tables of the Covenant, and gadding up and down the Countrie to stirre up the Kings Subjects to rebellion against him, and to disturb the estate of the Church and Kingdome, as many of the Covenanting Ministers have done.

These are the principall points both of the Spirituall and temporall functions of the Bishops, and since they were not accounted by the Church unlawfull in themselves, how can this be that this Assembly hath justly condemned *The whole estate of Bishops as unlawfull in it self*; except the Ambiguities lurk in these words which are there added and often repeated, *As it is now used in Scotland*, signifying that it was only the corruptions which were in those who were Bishops at that time which they did condemn, and not Episcopacie absolutely. It may be true indeed, that there were some corruptions at that time in those who had the office of Bishops, or that they did not exercise their office aright, retaining some corruptions of the Roman Church, but for these personall faults, the office should not have been condemned of it self, since these corruptions might have been separated from the office, as they were indeed by the new re-establishment of Bishops in the year 1606. 1608.

And certainly, they understood those corruptions which are remarked to have been in the Bishops by the

book of discipline, *Cap. 11.* whereof some are corruptions indeed, but not competent to that office, as it was now established in *Scotland* by generall Assemblies and Acts of Parliament: others of them are only supposed corruptions, which cannot be convinced to be such indeed, either by Gods Word, or testimonie of approved Fathers, or practice, or example of the primitive Church. 1. They say, it is a corruption that the name of Bishop should be appropriated to some few: we have answered to this a little before, shewing that this is only a proud dotting about questions and strife of words, as the Apostle sayes, *1 Tim. 6. 4.* 2. They account it a corruption, that they addict not themselves to a particular flock: I answer, that they doe so, for their Diocese is their particular flock; Then it is neither necessarie nor expedient, that he to whom the generall charge of many parishes is committed, should alstrict himself to one Parish only, nor can the contrary be convinced from Gods Word, wherein we finde no such divisions of Parishes as is now. 3. They challenge them that they are called Lords over their brethren, and over the inheritance of the Lord: But first we say, that they are not called Lords in regard of their rule over their Brethren, but in regard of their temporall Lordships bestowed upon them by the Liberalitie of Princes, and in regard of their place in Parliament and Councell: then this title of Lord, like as *Dominus* in Latine, and *κυριος* in Greek is sometimes a word signifying absolute and illimited Dominion. So we see that divers Emperors, albeit in effect they had absolute dominion, yet did they refuse often the title of *Dominus* because it was odious to people, and in this sense Bishops are not called Lords, neither doe they arrogate to themselves such absolute and unlimited dominion, as to doe what they pleased, but they must be ruled by the Canons of the Church. But otherwise the title of Lord is only a word of honour competent to every man of respect, to whom it pleases the Prince, or custome of the Countrey

to give that title, as in *France* we see the Bishops are no otherwise intituled than other ordinarie Gentlemen, calling them *Monsieur*; so likewise in *Spain* and *Italy* *Seignior*, which title is also given to any other man of worth; it is only the custome of the Countrey of *England* and *Scotland*, whereby this title of Lord is given to Bishops, and not for any absolute Dominion they arrogate thereby. 4. They account it a corruption that Bishops should have further bounds to visite then they may lawfully (they would say conveniently:) but that corruption may easily be amended by division of the Diocese, as is lately done in the Diocese of *St. Andrews*, without abolishing the whole office. 5. That a Pastor should have criminall Iurisdiction: we answer they have not this as Pastors or Bishops, but as a priviledge by the Laws of the Countrey annexed to their temporall lands, which notwithstanding they doe not exercise in their own person, but by their Stewards or Bailiffes. 6. They count it a corruption, that Bishops would not subject themselves to the correction and censures of the particular Elderships or Presbyteries: this is but a supposed corruption, and if it were so, it were a great corruption indeed, and a most uncomely and confused disorder, to give libertie to the inferior members to correct the head; it is true indeed, that Bishops ought to be subject to the censures of Generall or Nationall Councils, and none of them will think themselves excoemed from such a one as is lawfully constituted. Albeit the Bishops did decline upon many just reasons this Assembly of Covenanters, which are at length expressed in their declination, yet if that the Assembly had been constituted according to the present established order of the Church, they would never have declined from the same. The last corruptions, they remark in the Bishops as they were then in *Scotland*, is, that they did not instruct their people in Gods Word, which is a corruption indeed, but not essentiall to the office of a Bishop, or allowed by a Law: if any omit that

dutie, let them be censured for their personall fault, it is great iniquitie to condemn the whole office as unlawfull in it self, for the personall fault of one or two.

But I perceive that the chief thing which was then condemned in Episcopacie is, that they did not receive *their Commission to exercise their charge from the Church*, or that every Minister had not his voyce in the Nomination or Election of Bishops, but that they were nominated and presented by the King, elected by those of the Chapton only, and consecrated by other Bishops, and this was the thing which moved them so despitefully to condemn that estate, in the constitution whereof every one of them had not a hand, and in all their proceedings both in the book of Discipline and Acts of Assemblies it appeares, that this was the chief thing they required, that if they had had their Commission only from the Church or generall Assemblie, they would have condescended to all other points of their function.

1. In the second book of Discipline, *Cap. II.* they confess that albeit Pastors as pastors have not power over more flocks than one, yet if it be given them by the Church they may exercise it lawfully. 2. In the Assemblie 1575. it is agreed by both parties as we have declared, that amongst the pastors one may be *chosen by the Church* to visite certaine bounds comprehending many particular parishes, and therein to plant Ministers, to suspend and depose them for reasonable causes. 3. In the Assemblie at *Edinburgh* 1578. one of the principall petitions they make to the Regent, was that none should be admitted to vote in Parliament in name of the Church, except such as have *Commission from the Church*. 4. In the second book of Discipline, *Cap. II.* It is said that no person under whatsoever title ought to attempt any Act in name of the Church either in Councell or Parliament, *having no Commission from the Church*; so that if that had been done, we see that they acknowledge both their power and preheminence over other Pastors, their charge over

more

more particular flocks, their sitting in Councell, and voting in Parliament to have been lawfull, which are the principall points both of the Spirituall and temporall function of Bishops, which they challenge in this Assembly to be unlawfull.

If then we can shew that the Bishops have received from the Church such a *Commission*, to exercise all these points of their office, how can it be denied but they may exercise them lawfully, since this is the only exception against them in these things: Therefore we shall make it appear that Bishops have received from the Church this Commission. 1. Christ himself who is the head of the Church having all power, gave to the Apostles this Commission to exercise power and preheminance in all Spirituall and Ecclesiasticall matters, over all both Pastors and people throughout the whole world. 2. The Apostles who were at the beginning the representative Church, gave the like Commission to Bishops over certaine bounds over the which they received Iurisdiction, as *Paul* gave to *Timothy* in *Ephesus*, and the bounds of *Asia minor* thereabout, Commission to plant Churches, to ordaine Presbyters and Deacons, to have Iurisdiction and Rule over them being ordained, to receive or repell accusations given in against them, and by consequent to judge and correct, or censure them: the same Commission received *Titus* in the Kingdome of *Creta*; neither can it be doubted, but the rest of the Apostles gave the like Commission unto others in these Nations where they travelled to preach the Gospel, who were to succeed them in the rule and Government of the Churches, wherein they had not only the Name, but also the office, and that power of Bishops which is here called in Controversie; as none can deny, except those who will impudently deny all true records of Antiquitie, since all the orthodox Fathers who succeeded the Apostles, and lived in the same age with them, doe with unanimous consent testifie the same. The which Commission was derived from

the Primitive Church (who received it from the Apostles) to those of succeeding ages, confirmed by continuall practice uncontrouled for the space of fifteen hundred years by any Orthodox writers, untill this last age that some of the Church of *Geneva* began to call it in question.

3. The Commission to vote in Parliament they could not have at the beginning, when there was no Christian Magistrates or Common-wealths, yet so soone as Kingdomes and Common-wealths received the publik exercise of Christian Religion authorized by Laws, then the Church considering that many of the Civill Laws did either directly or indirectly reflect upon Ecclesiasticall matters and Religion; and that it was very expedient, that Ecclesiasticall Constitutions for better obedience thereto should be strengthened by the Laws of the Kingdome, they did earnestly supplicate Emperors, Kings and Magistrates that some Commissioners from the Church might have place in their Sovereign Courts, whereby Laws were established to further therein the cause of God and the Church, and to take heed *Nè Ecclesia aliquid detrimenti capiat*: the which supplications Christian Emperors, Kings and Magistrates out of a pious zeal did grant, And therefore did authorize the Bishops and Prelates to sit in their Sovereigne Courts in name of the Church; this priviledge many godly and learned Prelates did enjoy to the unspeakable good of the Church, and advancement of Christian Religion: so that it is no lesse, but rather a great deal more wicked Sacriledge to rob the Church of this so profitable a priviledge, than to rob her of her patrimonie: and therefore no marvell, though these who make no scruple in Conscience to be sacrilegious in the one, be also sacrilegious in the other.

4. To come neerer to our Church of *Scotland* it is evident by all histories, that since there were Christian Princes therein, the reverend Bishops did not onely rule the Ecclesiastick affaires, but also had a great hand in the affaires of the Civill estate, and did much good, by their

wise

wife Counsell to the King, the Church and whole Kingdome, before Popish tyrannie had place therein; and that since there were any formall Parliament in *Scotland*, the Prelats made up the third Estate, and did represent the whole Church therein, both by the consent of the Church and fundamentall Laws of the Kingdome, so that to the enacting of any Law, the consent of Prelates was ever thought as necessarie as any of the other two Estates. And therefore since by the fundamentall Laws of this Kingdome, no Act in Civill or Ecclesiasticall matters ever had the strength of a binding Law without the consent of all the three Estates, whosoever will prease to suppress the estate of Prelates doe reverse and destroy the very fundamentall Laws of the Kingdome. 3. To come yet neerer to the reformed Church of *Scotland*, at the very first reformation, those who were appointed in the place of Bishops called Superintendents, had by Commission from the Church as great power and preheminance over other Pastors, and all the Parishes within the bounds of the charge committed to them, as Bishops doe now require in their Diocese. It is true, the Superintendents had not vote in Parliament, nor could have; for why the Bishops retained still their possession in those places upon their ancient Commission, often ratified in Parliament both before and after the Reformation, never quarrelled by any Generall Assemblie of the Church, untill that Assemblie at *Edinburgh* in October 1578, wherein the Bishops are required only, not to vote in Parliament in name of the Church without speciall Commission therefra. And a few years before, to wit, at the Assemblie at *Edinburgh* 1573. the whole Iurisdiction and power of Bishops is expressly allowed by the Church, with some exceptions not very materiall, as we remarked before, and yet there is no mention of excepting this power, to vote in Parliament in name of the Church, whereby they doe tacitely at the least approve this the ancient Commission of the Bishops to vote in Parliament in name of the Church.

Finally,

Finally, at the last re-establishing of Bishops, *This Commission to vote in Parliament in name of the Church was expressly given to them by the Church*; for first, by that Assemblie at *Montrose* 1600. the Church gave Commission to a certaine number of Ministers (though not under the title of Bishops) to have a care of the Generall affaires of the Church, and to voice in Parliament in name of the Church: then the generall Assemblies at *Glasgow* and *Lithgow* in the year 1606. 1608. 1610. they did under the very title of Bishops receive full Commission from the Church, not only to vote in Parliament, but likewise to exercise their whole Jurisdiction, power and preheminence over all Pastors and people within the bounds of their Diocese, and so every Bishop particularly by their election and consecration receives power to use this Commission, whensoever occasion shall be offered: neither is it necessary, that for every severall Act they doe in name of the Church, they have a new particular Commission for that effect; but it is sufficient, that by the consent of the Church and Estates of the Kingdome, this power is annexed to the office of a Bishop for ever, so that whosoever should be elected to that office, should have this Commission once for all during his life time, or untill by his malversation in his charge he be lawfully and legally deprived.

It is true indeed, that the Church may adde new Articles to their Commission, as times and occasions requires; as is done in *England* and *Ireland* where the Convocation of the Clergie sits ever in the time of Parliament, to consider upon such Articles as are thought by common consent to serve for the weel of the Church, and by them are presented to the Bishops, that by their care they may receive due ratification: but the turbulent behaviour of some Ministers in *Scotland*, who scornes to have their petitions proposed orderly by the Bishops, hath as yet barred the Clergie of *Scotland* from that priviledge.

Now to conclude this point, since for ought we can
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see, the only exception that the Church of Scotland hath made against any point of the function of Bishops, at that time when Episcopacie was condemned as unlawfull, Anno 1580. & 1581. is that they had not their power and preheminence by Commission from the Church or generall Assemblie, and since that exception, as we have shown, is now removed, it is evident that those Acts of the Assemblies at *Dundee*, 1580. and at *Glasgow*, 1581. doe not serve to prove the Conclusion of this Assemblie, and therefore are impertinently alleaged.

CHAP. XIII.

Discussing the rest of the Acts of Assemblies here cited.

Since all the rest of the Acts in the subsequent Assemblies against Bishops are grounded upon these two former Acts, whereby the office of a Bishop was condemned, and since we have shown in the former Chapter that they doe not serve to prove the Conclusion of this Assemblie, and therefore the rest of the Acts depending thereupon must have as little strength as they, so that we need not to insist in the particular discussing of every one of them: yet lest it be thought that we have over past them altogether, we shall remark some few particular observations upon them, whereby it may be perceived that if they serve not for their purpose here; yet that they serve in divers points against them. First, those Acts cited here concerning the presentation by the King, and admission by the Presbytery of *Glasgow* of *M. Robert Montgomerie* to the office of the Archbishop of *Glasgow*, and of *M. Robert Pont* to be Bishop of *Caithness*, and the divers ineffectuall suits made by the Generall Assemblies to the King, Councell and Parliament, for advancing of their

their Presbyteriall Discipline, and suppression of Bishops, towit, those presented by the Assemblies 1580. 1581. & 1587. serves against them in so farre as they declare, that their violent proceedings against Bishops, and for establishing of their new discipline, was not allowed by the Kings Majestie and Councell, and whole body of the Kingdome in Parliament all this time, but directly resisted, as contrary to their wills and manifest intentions, whereby it is evident, that neither the King nor the Councell, nor the whole body of the Kingdome had any such meaning or intention, as by that oath of the Covenant, to abjure Episcopacie. 2. Although that the King and estate suffered an Act to passe in Parliament 1592. establishing in a part their new discipline, yet was it not their meaning to approve the same directly. But for a pregnant reason of estate, they did tolerate lesser evils, that greater might be eschewed: for at that time it is well known, that the King and estate were mightily astonished by the late discovery of a dangerous conspiracie of sundry Noblemen of greatest power in the Kingdome, by the practice of some trafficking Iesuites and Gentlemen affected to the Popish Religion, such as *Father Creighton, father Abercromy, Sir William Graham of Fentry, M. George Carr*, and others who brought in great summes of Spanish gold, and promised greater, whereby those Noblemen and many others of their Faction were corrupted to betray their Native Countrey, promising by their letters, and subscription of blank papers, to give way and assistance to the King of Spaines Navie to enter within the bowels of the Kingdome: No marvell therefore, although (in so perillous a time, when a totall ruine both of Church and Kingdome, of Politie and Religion was feared and threatned) the King and estate thought it fit for eschewing the present danger, to give way at that time to those new *Disciplinarians*, suffering that Act of Parliament to passe in their favour; fearing that if they should have resisted their present im-

portunity,

portunity, turbulent spirits (as some of them were) might have made a further distraction, even amongst these who adhered to the true Religion, whereby an other gate might have been opened for the entrie of forraigne enemies, and so the estate being thus divided should have been lesse able to resist the common enemy.

This was the very true reason whereby his Majestie was in a manner forced to condescend to this Act, whereof they brag so much, contrary to his own judgement and constant intention: as is evident by that which followed, for no sooner was that blast past, and that Conspiracie repressed, but King *James* of happie memory did set himself more earnestly than ever he did before, to re-establish Episcopall government, and bear down that new discipline, the evils and corruptions whereof disturbing both Church and Common-wealth he perceived daily more and more.

3 We must remark that this Act of Parliament 1592. was the first that ever did allow presbyteriall Government by a Law, and therefore ought to be accounted the first establishment thereof in the Kingdome of *Scotland*, whereby it appears, how short a continuance it had in this Church, and how soone it became loathsome to all estates of persons, *Spuria, putamina non agunt altas radices*: For not full eight years after this, in the Assemblie at *Montrose*, 1600. it received a great blow, and Episcopacie was by one step more advanced, wherein it was concluded that a certain number of ministers who were nominated by the King, should supply the place of Bishops, by voycing in Parliament in name of the Church, and to have a care of the generall affaires thereof under the name of Commissioners, whose power was enlarged by that Assembly at *Haliburthhouse*, 1602. and Bishops thereafter under their own proper title were established in their full power and Jurisdiction by the generall Assemblies of the Church 1606. 1608. 1610. & solemnly ratified by consent of the three Estates in Parliament, 1612.

4. We cannot omit that Act cited out of the Assemblie March 1589. wherein it is said *forasmuch as the Neighbour Kirk in England is understood to be heavily troubled for maintaining of the true Discipline and Government, whose griefes ought to move us: therefore the Presbyterie of Edinburgh was ordained to comfort the said Church in the said matter.* I cannot conceive whom they call *The Church of England* here, except it be some few Schismatics, who a little before this time were challenged before the Starre-chamber, for disturbing the Church and Kingdome, by promoting unto the people a new forme of Discipline, different in many points both from the Scottissh Discipline, and that of *Geneva*; who because they did obstinately refuse to answere to some interrogatories proposed to them by the Councell of *England*, were committed to prison; of which number was one *Wigintone*, who stirred up three fanaticall fellows, *Edmund Coppinger*, *William Hacket* and *Henry Arthington* to labour for their relief, perswading them that they were extraordinarily called thereto, *Hacket* being mightily possessed by this humour did give out that Christ was descended from heaven with his fan in his hand, and had called him extraordinarily to purge both Church and Common-wealth, he sent out before him his two principall Prophets *Coppinger* and *Arthington*, to whom he assigned a diverse charge, that *Coppinger* should offer grace and mercie to the people, if they would beleieve and follow him, for the relief of the faithfull servants of God, and *Arthington* should denounce Gods wrath and eternall damnation to unbelievers who would not adhere to them: those two being sent by *Hacket* came to the streets of London, and did preach according to their charge, railing impudently against the Queen and Councell, declaring openly that she was fallen from her right to the Crowne, and that *Hacket* was their King whom they ought to obey, being placed in Christs stead; whereby they moved great multitudes of the Common people to follow

follow them, but before they could effectuate their purpose, they were prevented by certaine of the Councell sent by the Queen, who apprehended them in the very Act at *Cheapside* the 16. of July 1591. for the which cause *Hacker* was executed as a Traitor, *Coppinger* killed himself in prison, and *Arthington* repenting him of his madnesse did confesse their whole proceedings: in whose Confession it was declared that they had received an encouragement to this attempt from *Scotland* by the means of one *Penry*, who having been a certaine space a Preacher in *Scotland*, was returned a little before this enterprise, and was lurking then in the City of *London*, or in some place thereabouts: this *Penry* was chiefly the man who procured these consolatorie letters from the Assembly to his Companions, to the great disgrace of the Church of *Scotland*, as having given encouragement to further such a treasonable attempt: and apparantly that letter written from *Scotland* by one *Gibson* to *Coppinger* was one of these consolatorie letters ordained by the Assemblie to be written to them; wherein he saith, *The best of our Ministers are most carefull of your estate, and have sent for that effect a Preacher of our Church (to wit Penry) this last sommer (1590.) of purpose to conferre with the best affected Ministers of your Church, to lay down a plot how our Church might best travell for your relief.* I have heard some of the wisest and gravest of the Ministrie of *Scotland* at that time, who did heavily regeate that the Church of *Scotland* was mightily abused by this *Penry*, who although he was for a time in great estimation amongst the people, and some of the chief Ministers likewise, yet they found him at last an arrant Knaave.

I am sorry that the Brethren of this Assemblie have been so inconsiderate, as to *refricare banc scabiem*, in calling to remembrance again, that opprobrie of the Church of *Scotland* in these times, as having had two deep a hand in that attempt, to stirre up a Combustion in our Neigh-

bour Kingdome and Church, but our Covenanters are so farre from being ashamed thereof, as they cease not as yet to use all meanes to doe the like, if they could find in England such fanaticall fellows, as *Hacket* and *Copinger*.

CHAP. XV.

Discussing the Conclusion of the Act.

NOW after they have set down their confused rapsody of Reasons for proving the determination of their Assembly, they conclude in these *Hyperbolicall* termes, *All which and many other reasons being publicly read, and particularly at great length examined, and all objections answered in the face of the Assembly, all the members of the Assembly, being many times required to propound their doubts and scruples, and every one being heard to the full, and after much agitation as fully satisfied, &c.* Magnifick words indeed.

Dare pondus idonea fumo.

able to give weight to the light smoak of their reasons: it is a strange matter if it be true that in one only Session, in the shortest day almost in the whole year the 8. of December, so many things could be done to the full, that all these reasons and many others could be particularly at great length examined in so short a space, *All objections* that could be proponed exactly answered *Every* member of the Assembly heard to the full, *Every* member of the Assembly being many times desired and required to propound not only their great *Doubts*, but their small *scruples* also; and after much agitation all being fully satisfied: certainly, the perswaders had need of great volubilitie of tongue, to repeat so many reasons in so short a time, to propose and to answer to many so strong objections, as might have been allcaged against their Conclusions.

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ons, and the Eloquence of *Cicero* or *Demosthenes*, yea, the tongues of Angels to perswade to the full all their hearers of the truth of their reasons and answers: and these who were contrary minded had need of pregnant wits to conceive all their perswasions so quickly; yea of some secret *Enthusiasme* and divine inspiration to change their hearts, who not long agoe were fully perswaded to the contrary, and had confirmed their perswasion by their oath of Canonically obedience to their Bishops, and had practised accordingly for a long time: all these things alleaged here to have been done, had required a greater space to have done them *Exactly to the full* than the space of a whole month, which was the whole time this Assembly did sit in determining with this point many other Articles of no small consequence; so precipitate were they in their determinations, fearing lest they should have been prevented, before they had vented their great malice against *Moses* and *Aaron*, the King, and the Bishops to the *Full*.

Secondly, after this Bravado the Moderator did put the matter to voycing in these termes, *Whether according to the Confession of Faith, as it was professed in the year, 1580. 1581. & 1590. there be any other Bishop, but a pastor of a particular flock, having no prebeminence nor power over his Brethren, and whether by that Confession, as it was then professed, all other Episcopacie is abjured, and ought to be removed out of this Kirk.*

This proposition we have discussed before at the beginning in stating the question as was most fit, to the end we might more easily perceive whether the reasons alleaged did conclude directly the point in Controversie: where we have shown evidently, that this proposition, as it is here set down, was informall, obscure, ambiguous, sophistical, and such a one as it was impossible to answer *Categorically*, either affirmative or negative, as all voyces ought to be given and are accustomed to be in any orderly meeting, therefore we need not to insist further therein in this place.

Thirdly

Thirdly, when it comes to the voycing, they say, *The whole Assembly most unanimously without contradiction of any one (and with the hesitation of one allanerly) professing full perswasion of mind did voyce, &c.* No marvell, though all these who were present and admitted to give voyce, did so without contradiction, since all those whom they suspected, would make any contradiction were either excluded from being Commissioners, or if they were chosen Commissioners, were debarred from voycing by the Rulers of the Covenant, according to the instructions sent from their Tables at *Edinburgh*, and directed to every Presbyterie, some publickly to all, some secretly to those of every Presbyterie, who were most affected to the cause; and to make this evident, it shall not be amisse to set down some of their instructions verbatim. 1. *Order must be taken that none be chosen ruling-Elders but Covenanters, and those wel-affected to the busynesse.* 2. *That where the Minister is not wel affected, the ruling-Elder be chosen by the Commissioners of the Shire, and spoken to particularly to that effect.* 3. *That they be carefull that no Chapter-men, Chappel-men, or Ministers, Justices of peace, be chosen Commissioners although they be Covenanters.* 4. *That the Commissioners of the Shire cause convene before them the ruling-Elder of every Church before the day of the election, and injoyne them upon their oath that they give vote to none to be Commissioner, but to those who are named already at the meeting at Edinburgh.* 5. *That such as are erroneous in doctrine or scandalous in life (and such only they account those who are contrary to their Covenant) be presently processed, that they be not chosen Commissioners, and if they shall happen to be chosen by the greater part, that all the best affected protest against them, and come to the Assembly to resist the same.* There were divers likewise who were chosen and admitted Commissioners, and yet did remove themselves when the Assemblie was discharged by the Kings Authoritie, out of conscience of obedience to the Sovereigne Majestic and
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detestation of Rebellion before this point was put to voycing : Therefore none remaining except these who were resolved to be partakers of Rebellion, no marvell, though none of them did contradict their rebellious Leaders.

We see indeed this same unanimous consent in all the rest of the Articles which were put to voycing in this Assembly, whereby it may be clearly discerned, that all of them before this time were resolved upon amongst themselves, by a sensible preagreement at their Tables at *Edinburgh*, to the which agreement, they did abstain all the Commissioners before they were admitted to have voice in this Assembly : and for that effect it is enjoined both by their secret and publik instructions. *That every Presbyterie shall send their Commissioners to Edinburgh before the first of October* (which was seven weeks before the day appointed to the beginning of the Assembly) *so the end they may know their own strength the better at their next meeting.* So that these Acts cannot be accounted the Acts of the generall Assembly of the Church at *Glasgow*, but rather Acts of those seditious tables of Covenanters at *Edinburgh*, and only repeated here at *Glasgow* for the fashion.

Fourthly, wherein was this unanimous consent of their suffrages ? It was (say they) *That all Episcopacie different from that of a Pastor over a particular flock, was abjured in this Kirk, and to be removed out of the same.* It this was their unanimous suffrage and no more, I marvell not that there were no contradiction : Yea, I beleve, that if all the Bishops in *Scotland*, and all those who had refused to subscribe their Covenant, had been admitted to give their voyce, they should not have contradicted this : for neither doe these words answer to the proposition of the Moderator, nor doe they condemn Episcopacie in any point, as it was then used in *Scotland*, or in the primitive Church.

As for the first, that it doth not answer directly to the

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proposition, I prove it in two substantiall points: for first (as we declared before in setting down of the state of the question) the Moderators proposition included three distinct questions. 1. *Whether according to the confession of Faith, as it was professed anno 1580. 1581. & 1590. there be any other Bishop but a Pastor of a particular flock, having no preheminence nor power over his Brethren.* 2. *Whether by the confession of Faith, as it was then professed, all other be abjured.* 3. *Whether all other ought to be removed out of this Kirk or not.* But in voycing they answer only to the last two, omitting altogether the first, which notwithstanding is the ground of both the other: And indeed considering the informalltie of the proposition, I esteeme that they had good reason to answer so, for if they had done otherwise, their voices had been as informall and intricate as the proposition was, because they could not answer Categorically to all three at once, for why, according to their grounds they behooved to answer to the first *Negative*, and to the other two *affirmative*; and therefore lest their answers should have been obscure and intricate, including both a negative and affirmative voyce, they did wisely to answer to those questions only, to the which one affirmative voyce might serve. 2. The proposition containeth two points of *Episcopacie*, towit, *Charge over moe particular flocks, and power and preheminence over other Brethren*, demanding, if both these points be abjured or not, and both to be removed: But in voycing they determine only the first point concerning their charge over moe particular flocks than one, not a word of their abjuring or removing their *power and preheminence over their brethren*, which notwithstanding is the chief point that doth most grieve our covenanters, and for removing whereof they have raised all this trouble: Be it therefore known to all, that this Assembly which was principally convened to condemn *Episcopacie*, did not condemn this power and preheminence over their Brethren, and therefore

therefore that this standing still in force in the Church of Scotland, whoſoever yeeldeth not due obedience to the Biſhops according to their oath, are evidently perjured, and are not abſolved from their oath by this Aſſembly: except they would ſay that they have extended the Conclusion further then all their unanimous voyces could ſuffer; which as they muſt confeſſe is the greateſt iniquitie which can be committed by any Aſſembly whatſoever.

Finally, if it be ſo, that no epiſcopacie is here condemned, except that *which is different from a Paſtor of a particular flock*; there is nothing here condemned in the Biſhops, either as they were of old in the primitive Church, or were of late in Scotland, and are as yet in England and Ireland; yea, no Epiſcopacie is here abjured, except that of the Biſhop of Rome, who only arrogats to himſelf to be the Paſtor of the univerſall flock: all other Biſhops requires no more, but to be a Paſtor of a particular flock, and as Cyprian ſaith, *Episcopatus unus est, cuius a singulis in solidum pars tenetur*: there is no bounds preſcribed by Gods word of a particular flock, but the Church by the Authority of the Magiſtrats, for the more commodious ruling of the Church, and for conſerving unitie, have divided Kingdoms in provinces, and provinces in particular Dioceſes, and Dioceſes in particular pariſhes, appointing to every part their own rulers, ſo that as a pariſh is the particular flock of a Preſbyter or Miniſter; even ſo a Dioceſe is the particular flock of a Biſhop, the province the particular flock of an Archbiſhop, and the Nation or Kingdome in regard of the univerſall Church is the particular flock of a Primate. Neither may any Biſhop lawfully uſurpe charge over the particular flock of another Biſhop without his conſent. Their Apoſtles of the Covenant who went through the Country to preach, not the Goſpel of peace, but their ſeditious Covenant and mortall warre againſt the King and all his Loyall Subjects, albeit they pretend to be Paſtors only of a particular pariſh, yet did violently intrude themſelves

to exercise charge in the parishes of other pastors, without warrant or Authority, or lawfull calling from the Church, and contrary to the Constitutions of the Church of Scotland, established even then when presbyteriall government was in greatest force, drawing after them many thousands of people to disobedience and open Rebellion, and by consequent to perdition, except they repent; and yet who dare be so bold as to say to any of them *cui ista facis?*

I cannot see what they can answer to this grosse and absurd escape in not answering by their voices fully to the proposition, and extending the determination of the Assembly further than the voyces can suffer, except that they would allege that it is a fault in the Printer, and that it was otherwise in the originall Register, which is not like to be true for these reasons: first, because if it had been so that they had answered fully to the proposition, their suffrages should not have been Categorical, but very informall and intricate, including both a negative and an affirmative voyce. 2. Their Clerk *M. Archibald Johnstone* hath testified the contrary, by adding to this printed Copie, and all other which I have seen his signe and *Manuall subscription*, testifying thereby that they are printed according to the originall Acts contained in the Authentick Register, out of the which he affirms, he hath not only collected and extracted these Acts, but also visied them, to see if the extract was according to the originall; if he had committed such an absurd escape in omitting the very principall point whereupon the whole Act doth depend, and being that Act also for the which the Assembly was chiefly convened: he hath certainly shown himself a very *Ass*, unworthy of that trust which the whole Assembly did commit unto him by an expresse Act, constituting him the only visitor and approver of all things that are to be printed concerning the Church or Religion. 3. Albeit it had been true that *Johnstone* might have overseen himself so far, yet how could it be possible

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that the Moderator, and others committed to visite the Acts should have suffered such a fault, as reverseth the whole Act about the which greatest care was taken to passe forth before it was diligently corrected.

Therefore I cannot but beleeve assuredly that there was no fault committed by the Printer, but that the Act was printed according to the originall Register, and that it was so written in the Register, as it was voyced unanimously in the Assembly, and that the voyces had no other meaning then their words did expresse: and therefore that nothing in effect was concluded in this Act against Episcopacie, as the title of the Act beares. And so we may conclude justly in these words of the Satyrick Poet:

PARENTIUM MONES & NASCUNTUR RIDICULI MENS.

FINIS.